

CRAZY SNAKE AND THE SMOKED MEAT REBELLION



By MEL HALLIN BOLSTER

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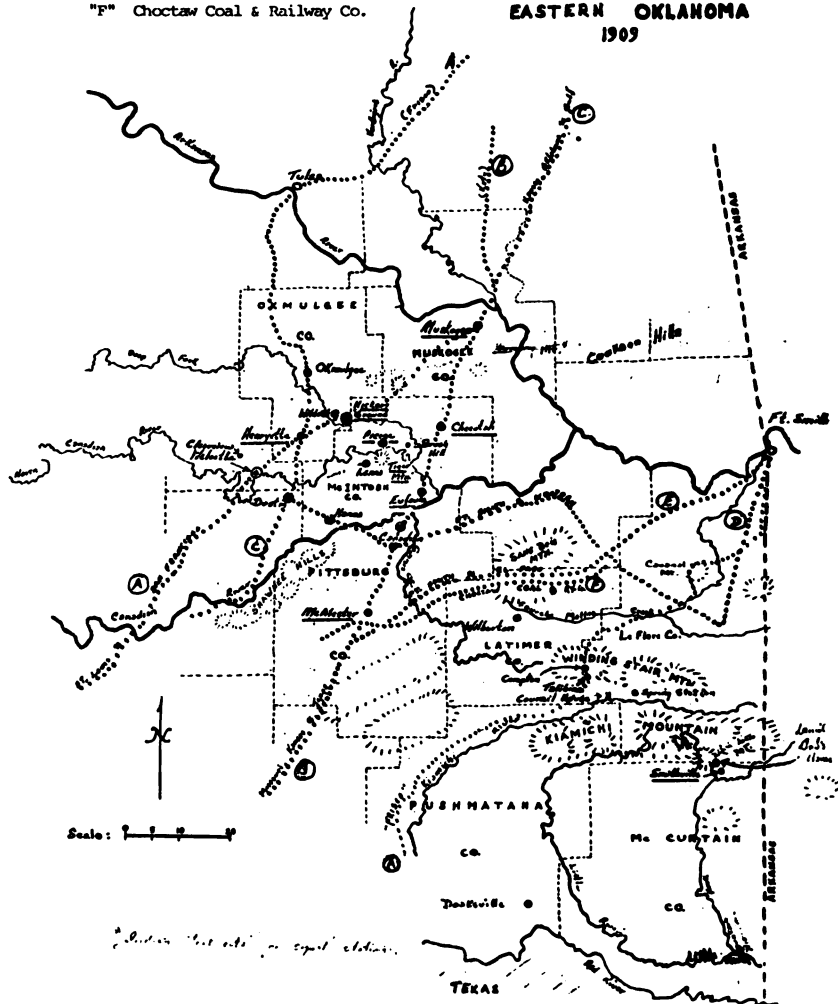
In 1907 the Indian Territory and Oklahoma Territory became the state of Oklahoma. Two years later, long after the last Plains Indian attack on the last of the wagon trains, a frontier-style shootout left deputy sheriffs dead on the field. Poses and troops soon were scouring the blackjack wilds of the Creek Nation hoping to find Chitto Harjo (Crazy Snake) and his followers, believed seeking reinforcements among the restless western tribes. Newspapers warned of armed insurrection and massacre, as farm women and children sought safety in the towns.

This colorful incident, which has slipped into the recesses of history, epitomized the Creek people's struggle to contain the on-rushing white society while achieving a workable balance amongst conservative fullbloods, progressive slaves welcomed into the tribe upon emancipation. The Smoked Meat Rebellion was both comic and tragic and—it happened in the twentieth century.

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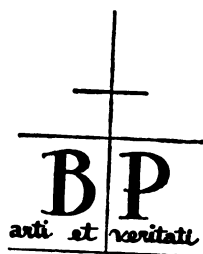
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To
LALA AND DICK BOLSTER
my
Mom and Dad

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AUTHOR'S STATEMENT

My interest in American Indians and the Western frontier began in grade school. I read everything the Cambridge, Minnesota public and school libraries had on the subject, and still treasure my copies of *The Gold Rock of the Chippewa* by D. Lange (1925) and *The Little Indian Weaver* by Madeline Brandeis (1928). I did not do any serious study in the field, however, until after World War II when I went to work in Oklahoma. There, I chanced to meet several authors of excellent works on Indians and the Southwestern frontier. I remember in particular Angie Debo, Grant Foreman, Muriel Wright, Morris L. Wardell, Edward E. Dale, Carl Coke Rister, Alice Marriott, and Walter Campbell (Stanley Vestal).

These folks were a delight to talk with, and I spent many rewarding hours reading their books. It was Alice Marriott who suggested to me that the Creek troubles of 1909 might contain material for a story not yet written. I followed up by seeking the assistance of Muriel Wright and Rella Looney of the Oklahoma Historical Society. They were very helpful, as was W.E. "Dode" McIntosh, a Creek Indian, who introduced me to Bill Carr and Lee Bateman.

That day in July 1951, when I drove from Fayetteville, Arkansas to meet Dode in Tulsa, will long remain in my memory. I tried to locate a tape recorder in Fayetteville, but these machines were not yet plentiful, and it was Sunday, and I had no luck. As it turned out, Carr and Bateman had not seen each other for years, and they reminisced at great length about who shot whom during Territorial days. Then they reviewed for me their recollections of the cabin fight. Later, I found the testimony of Frank Jones, who had died, as recorded by an interviewer in an intriguing little publication called *The Experiences of a Deputy U.S. Marshal of the Indian Territory* (1937).

Next, I talked with Dana Kelsey and Fred Cook, both of whom went over my notes and offered assistance in clarifying for me their own views of the unhappy situation growing out of the decision to divide up the In-

dian estate. I also met General and Mrs. Roy V. Hoffman, who graciously permitted me to use the family library to obtain information on the activities of the Oklahoma Regiment of the National Guard during March and April of 1909.

Angie Debo was an inspiration, and I freely admit to having drawn heavily upon her fine work on the Creek Indians, especially her history of the Nation, *The Road to Disappearance* (1941). In addition, Grant Foreman loaned me valuable source correspondence, and I took full advantage of the comprehensive resources of the Frank Phillips Historical Collection, University of Oklahoma. In Washington, D.C., I found useful material in the National Archives, the Library of Congress, and the Indian collection of the Department of the Interior.

A number of heretofore unpublished photographs are included in the book as a result of an extraordinary bit of good luck. I chanced to meet on a bus Mr. Harris Andrews of Arlington, Virginia, who had recently purchased an old album of photographs taken in Indian Territory about 1900. Mr Andrews kindly gave me permission to use several of these pictures.

The story is true, but I have introduced imaginary episodes in order to adequately connect and explain the events which actually occurred. Chitto Harjo's Civil War experience, the cabin fight, and the details of the trek to Bok Tuklo Mountain are what I think could have happened. Certain characters, including Chupko Yahola, Micksie Barnett, Foxie Harjochee, and Oktarharsars Micco, are imaginary, while others, including Dead Center and Carl Bright, are composites of people who were on the scene. All of the principal actors, including the National Guardsmen and officials of the Indian Service, are real, although I have changed a few names because I may unwittingly have characterized them inaccurately, and I do not wish to offend surviving members of their families.

M.H.B.

Falls Church, Virginia
November, 1974

INTRODUCTION

A United States marshal in 1909 did not have an easy job preserving the peace in the new frontier state of Oklahoma. The eastern part was no longer known as Indian Territory, but there had been little time for change. A large part of the population was Indian—Shawnees, Seminoles, Iowas, Pawnees, Kickapoos, Osages, and many others—removed to the Territory during the 1800's.

Some of the bigger towns numbered several thousand people, but most trading centers were just wide places in the road, lined on either side with a few wooden store buildings. There had been a lot of saloons, but they went out with statehood. Much Indian land had already been opened to settlement, and the land-hungry home-seekers had begun to develop their claims. These people were hardy souls who learned to survive in eastern Oklahoma's rough hill country. They expected their share of trouble and did not hesitate to tackle it when the time came, whether it was man, beast, or weather.

The transition from Indian Territory to statehood occurred during the connective years between this century and the last. It was a time of railroad development in the Indian Territory and the railroads had a great influence on the economy of the last Indian frontier, duly admitted to the Union in 1907. In the Creek country, the Missouri, Kansas and Texas Railroad ("Katy") ran southwest out of Muskogee to the stock unloading pens at Checotah where cattle were shipped for fattening. It continued south to Eufaula, a trading point for Indians living between the Canadian and North Canadian Rivers, and on through the Choctaw lands to Texas. From Sapulpa, a branch line of the Frisco ran east to the old Creek town of Okmulgee, south through Hugh and Etta Henry's allotment, the future site of Henryetta, and on to points south. Railroad construction gangs of Negro and Mexican laborers were joined by swarms of whiskey peddlers and gamblers, both of whom descended upon

both the old towns and the new ones created by the advent of the railroads.

It is not surprising that law enforcement did not come easy. When physical strength and endurance are the measure of a man's success, actions definitely do speak louder than words. Few men had the time to study, or the inclination to practice the niceties of polite society, and almost any Oklahoma newspaper of the day carried accounts of stolen horses and mules, miscellaneous shootings, and murders.

One Sunday afternoon in June, 1908, an armed group of citizens from Checotah invaded Eufaula. They tried to capture the courthouse and thus secure for their town the county seat, but after one man was mortally wounded, the "County Seat War" ended when the Checotah contingent canceled further operations and went home.

In Ada during 1909, a mob stormed the county jail, seized four prisoners, and hanged them all in a nearby barn. Other acts of violence and lawlessness occurred throughout the state that year. In Guthrie, then the capital, a woman arrested for publicly beating her husband used her horsewhip on the sheriff. Further south, an Ardmore man was arrested for cutting Indian timber, and in Chickasha, a sheriff was shot dead in a street gunfight. Banks were robbed with alarming frequency, and in a small town in the east-central part of the state, someone ran off with a thousand pounds, more or less, of smoked bacon. That triggered the "Smoked Meat Rebellion."

PROLOGUE

Two hundred years ago, the Creek Confederacy was one of the most powerful Indian societies in North America. It had little to fear from its enemies, and, for the most part, its relations with the white man had been profitable. As early as 1700, Spanish and French writers spoke respectfully of the "Emperor of the Creeks," and James Adair, an English agent who spent much of his time among the Indians from 1735 to 1768, thought the Creeks were unquestionably the mightiest of the Indian nations. During the 1780's, twenty-five to thirty thousand Creeks lived in what were known as the Upper Towns, on the Coosa and Tallapoosa, and the Lower Towns, on the Flint and Chattahoochee, all of which occupied the greater part of what is now Alabama and Georgia.

Fifty to eighty communal towns were the center of Creek life during those early years. Each town had its field where the residents grew corn, pumpkins, beans, squash, sunflower seeds, and a little cotton, as well as tobacco, and gourds for utensils. There were individual family plots, and families both harvested and stored their own produce, but everyone helped in planting and cultivating the entire field, and in stocking a public storehouse maintained for emergencies. Townspeople hunted and fished on town preserves, grazed their cattle and horses on public pastureland, and cooperated in building their houses.

It was in great councils, comprised of representatives of the larger towns, that matters of war and peace were decided. The Creeks, while militarily formidable, were not a militaristic people, and their strength as a nation rested less upon armed might than upon the stable structure of the towns, representative government, and a highly developed civil administration and criminal code, much of which was borrowed liberally from United States governmental institutions.

The Creek Nation first relinquished some of its independence in a treaty with the United States in 1790.

Some land was lost, but the federal government guaranteed the remaining territory and granted the Indians power to punish white trespassers. This was the beginning of a series of promises which meant everything to the Indians—security, hope, life itself—but which were so lightly brushed aside by the government in Washington.

Then in 1817, the Cherokees, who lived in the mountainous part of North Carolina, purchased some of the unsettled wilderness beyond the Mississippi River. Many packed up and moved to the new land, and there were those among the Creeks who urged similar action to escape the increasing pressure of the white man. However, the Creek council at Tuckabatchee decreed that the Nation would not move west, but would remain in the ancestral homeland, and under no circumstances would additional land be surrendered. It was expected that some of the younger generation might disagree with this considered policy of their fathers, and they were warned that the law would be firmly and fairly enforced—with guns and rope if necessary.

Despite this determined stand, the white man's greed proved insatiable, and in 1832, with the signing of the Creek Removal Treaty, the Nation embarked upon a heartbreaking forced march beyond the Mississippi. There were efforts to delay the inevitable, but in 1830, almost half the Nation moved to the new lands, which were "solemnly guaranteed" to them forever. About fifteen thousand survived the long journey, and for the next ten or fifteen years small parties continued to move west. When it was over, half of those who had started out lived to establish themselves in Indian Territory.

Nevertheless, the Creeks and the four other Civilized Tribes* did find a refuge remote from the land-hungry white Americans, and in time they came to love their new location. Within a few years, the average family farmed

*Cherokee, Choctaw, Chickasaw, and Seminole.

six to twenty acres and accumulated such property as a wagon, a saddle and some harness, some garden equipment and hand tools, and a plow and two or three axes. Livestock might include several horses, perhaps forty or fifty head of cattle running branded on open range, a dozen or more hogs foraging wild but earmarked, and a few chickens and domesticated wild turkeys. A few families were even able to develop herds of several hundred head of cattle, acquire some farm machinery, and employ one or two white hired hands.

New towns were built in the West, and although the town farms no longer were maintained, a few towns still had a common herd, and timber was still considered public property and was protected by cutting regulations.

After the Civil War, the Creeks, who had been as tragically divided as the white society, united in establishing the "Muskogee Nation," organized into six districts: Deep Fork, Muskogee, Eufaula, Okmulgee, Wewoka, and Coweta. A new constitution, unanimously adopted, created a lawmaking body called the National Council, consisting of a House of Kings (Senate) and a House of Warriors (House). Principal and Second Chiefs were to be elected every four years by vote of the people. Laws passed by the Council and approved by the Principal Chief were published in both Creek and English. Okmulgee became the capital, and there a two-story, double-log council house was built. It was replaced by a stone building in 1878.

The new constitution also provided for a Supreme Court which could function as a trial court when the amount involved was over one hundred dollars. Each district had its own judge and prosecuting attorney with authority to try both civil and criminal cases. They were assisted by a company of "lighthorse" composed of a captain and four privates popularly elected within their district. The Creeks had no jails, but prisoners were guarded by the lighthorse, which also handed out

the punishment to those found guilty: fifty lashes for a first-class offense, one hundred for a second, and death for a third offense of larceny. During the constitutional period of Creek tribal history, three convicted murderers were shot by the lighthouse in public executions.

The years following the war were a time of tension between Creek Indians and their former slaves. The Indians had been tolerant masters, and after emancipation had agreed to reserve for their Negro population a tract in the Arkansas-Verdigris valley. As Indian-white mixed bloods gained control of tribal affairs, however, the Council passed discriminatory laws, and the blacks moved farther south into three towns—North Fork, Arkansas, and Canadian. Creek law provided for the adoption of Creek freedmen and free Negroes living in the Creek country, and within a few years Creek Negroes had succeeded in obtaining for themselves a major role in Creek national politics.

Early in 1894, an almost unanimous Negro vote was enough to defeat adoption of a new constitution. Representation in the House of Warriors would have been decreased to one member from each town, and since black citizens were located mainly in three towns, the effect would have been to end the overriding influence of the Negro population, who by this time constituted more than one fourth of the Creek Nation.

The end of the Creek Nation as an independent political entity followed decades of relentless persecution aimed directly at dissolving the tribal government and allotting the tribal lands. It is difficult to imagine an analagous calamity which could befall Americans today. For the Creeks, it meant the end of their cherished freedom and the beginning of (what seemed to them) imprisonment on specific parcels of land which, as it turned out, would easily pass into the waiting hands of the white people.

It was decreed in Washington that the Indian government was to be dissolved by March 4, 1906. This deadline

was extended, but the Creek Council ceased to meet, Creek leaders became Presidential appointees, and the United States assumed control of tribal finances and schools. Creek lands were carved up and assigned in tracts of 160 acres to heads of families, fifty acres to unmarried adults, and forty acres to children. The remainder was purchased by the federal government and opened up to homesteaders. Of 3,079,095 acres of Creek land, 2,997,114 acres were allotted, and the rest was set aside for towns, schools, and churches, or was left unassigned as substantially worthless. The best land was valued at \$6.50 an acre, or \$1,040 per quarter-section.

As the United States government took over administration of Creek tribal affairs, there was a last-minute effort to protect Indian owners. Mineral leases and agreements to lease land for agricultural use and grazing were restricted and supervised, and sale of surplus land was regulated. Creeks of at least three-fourths Indian blood were considered full bloods and were allowed to sell no more than half of their allotment. In no case could the forty-acre homestead be sold. Whites, freedmen, and less-than-half-bloods were free to sell all their holdings. Mixed bloods of one half or more, but less than three-fourths Indian blood, were free to dispose of their surplus but not their homestead.

As the Indian land became subject to taxation and sale, there was a wild scramble to acquire it by any means, fair or foul. It is estimated that among mixed-blood Indians, probably not one in ten retained more than a fraction of their original holdings. The history of the Creek Indians as a sovereign nation came to a close when tribal records were turned over to the Commissioner to the Five Civilized Tribes, and Creek property became the responsibility of the Secretary of the Interior in April 1908.

It is a tragic thing to watch one's most cherished possessions taken away and to witness the wrecking of the social and political fabric of a once proud and in-

dependent people. Traditions and customs are the product of many generations, however, and are not easily suppressed or laid aside. A cultural heritage of centuries is not forgotten as quickly as names are written on pieces of paper. This was particularly true of the full-blood Indians whose memory of a lifetime and of the homes of their fathers was vivid and indelible. They were unable to adjust to the new order. They had long since withdrawn from tribal politics and retired to the back country, where they shut out every vestige of the hated commission and the allotment nightmare.

I

THE FIGHT AT HICKORY GROUND

Monday, March 22: The Reconnaissance

It was about half-past-nine when the two reined up. Some distance ahead, they could make out through the still trees a score of drab tents and the unpainted council house. A few stone chimneys reached into the stark branches of the oak woods, and on a tall cedar pole a faded American flag hung motionless over the camp.

"You reckon they'll give us any trouble?"

Jess Beatty, occasional town constable in Eufaula and former Deputy United States Marshal, asked the question but didn't expect an answer. His partner knew as well as he that the situation could explode out of control without warning.

"Naw, I don't think the Snakes'll give us any trouble, but them damn niggers might. They're the ones causin' the ruckus."

Deputy Sheriff Center was probably right. His own skin was black, but he had spent a good many years tracking down petty thieves, some of them on suspiciously friendly terms with the Indians, and he had no time for outlaws of any kind.

Somewhere a crow called and a few yards away a squirrel rasped monotonously. Beatty recalled there had been a large crop of acorns in the fall, and that was supposed to mean a hard winter. But it hadn't been so bad. Soon the dogwood and redbud would be out, although the countryside looked pretty bleak in March. Dry too. There had been little snow in January and February, and last week's heavy rain had quickly run off and been dried up by high winds.

The leaves rustled loudly where another squirrel scampered away from the horses. The night had been cold, but now the frost was gone and the morning sun was beginning to feel good. The camp was quiet.

Beatty slipped a few cartridges into his repeating rifle.

Staring intently ahead, he spoke his mind through a taut smile.

"All I say is let 'em try somethin'. They're all a bunch of goddam scum, no-accounts. They've caused trouble long enough. I jus' hope one of 'em gets smart. Ought t'leave 'em all for the buzzards."

"Well, we can't do that," commented Center. Beatty always sounded meaner than he was. "But I sure wouldn't mind lockin' up a few. Trouble is we ain't got enough on 'em to hold 'em long. We might find some of the stuff they've stole, though, includin' all that smoked bacon from your place."

"Maybe so, but s'pose they don't like us nosin' 'round their picnic grounds. I heard Jack Markey say both niggers an' Snakes has been buyin' up guns an' shells for weeks. An' I mean in Eufaula and Checotah too, not jus' Henryetta. These Snakes jus' might blow our tail off!"

Somehow, the term "nigger" didn't apply to Center, despite the broad nose, thick lips, and dark skin. At six foot three and two hundred pounds, he could handle himself in any situation, and was widely respected both as a citizen and a lawman.

The Eufaula constable scratched his short, salt-and-pepper beard, spat into the weeds, and bit hard at a plug of Star of Virginia.

"Guess they could all right," Center agreed, "but if we jus' mosey in peaceable-like, they ain't likely to start nothin'. The Indians won't move unless Snake tells 'em to, an' the niggers are way out on a limb. An' they ain't about to start sawin' it off."

Dead Center (nobody called him Delbert!) was Deputy Sheriff in McIntosh County and aware of his responsibility. At that moment, only five miles away, the women and children of Henryetta were being protected under guard in an old stone building in the middle of town. White people all around east-central Oklahoma had become considerably alarmed over the unfriendly, even hostile attitude of both the Creek Indians and their freedmen.

A die-hard band of seventy-five to a hundred were known to have been holding frequent council meetings at Hickory Ground while their armed lighthorse patrolled the area. Leadership seemed to come from the most reactionary among the full-bloods, the so-called "Snakes" who ignored the laws of the United States concerning the partitioning and assigning of Indian land. Often they were joined during the day by large numbers of Negro malcontents, who roamed about at night stealing chickens, corn, and home-cured bacon. It was generally believed that the Snakes, along with their former black slaves and the renegade "state" Negroes, were organizing their combined forces for the purpose of resisting the law. There seemed little doubt that as soon as the Indians were sure of their strength, farms would be burned and the towns attacked with tactics reminiscent of the old frontier.

"Well, do we go in or don't we?" asked Jess Beatty, his eyes probing a thicket of wild blackberry. "Don't seem to be too many of 'em around, but it could get real messy if there are any of that bunch got chased out of Henryetta."

That hadn't been long ago either. A black who had killed a white man was promptly lynched. Then, enraged citizens drove all Negroes out of town with rocks, clubs, and guns. Tension had been running high ever since.

The horses snorted and stamped impatiently as the men seemed to hesitate. Two or three dogs barked in the camp.

"All right," Sheriff Center said, checking his single-action Colt .45. "Let's go in. An' keep your eyes peeled for guns an' any supplies they've got stashed away. Jack wants to know how many men they've got too."

Spurring his horse forward, he trotted briskly toward the cluster of twenty or thirty dingy, disorderly tents. His companion followed closely and drew up by his side. They slowed, wondering if the men lounging about were the only ones present, half-expecting some sort of trap. Only two horses cropped grass by Coal Creek, and

that was reassuring. The smell of wood smoke and boiling meat mingled with the rich odor of horse manure and rawhide.

They stopped before the council house as an ill-assorted group of unshaven men emerged from their crude shelters and stood around them. The dust they kicked up settled gradually, and the sun seemed much warmer. The deputy moistened his lips and swallowed as a feeling of vague misgiving passed. Then he spoke in a firm, clear voice.

"I'm Deputy Sheriff Center. Maybe some of you know me. I wanta talk to whoever's in charge here."

He looked around for a familiar Indian face, but they were mostly blacks, and all were strangers. The uneasiness was returning. One of the few who wasn't carrying a rifle slouched forward.

"Go ahead," the man said tonelessly.

Dead Center produced from his shirt pocket a piece of paper, which he unfolded as he spoke.

"I also want to talk with Tom Ochee."

"He ain't here."

"All right, you tell 'im to report to the McIntosh County sheriff in Checotah by tomorrow noon. We wanta talk to 'im about some mortgaged property he sold." He held up the piece of paper. "This here is a warrant for his arrest. You tell 'im to come in by tomorrow noon or we'll come get 'im. It's better for Tom if he comes in. You un'erstand?"

He waited for what seemed a long time. Across the adjacent valley, a jay screeched.

Someone muttered, "Tom Ochee ain't here."

Jess Beatty spat and shifted nervously in the saddle. The sweat on his palm felt cold against the metal of his Winchester. There were eleven shells in the magazine and one in the chamber. Like Center, he also wore a gunbelt and Colt revolver. He glanced around the group. Looked like thirty or forty, but he also detected shadowy figures in the tents and behind windows of the log and clapboard council house.

"All right," Center continued, carefully replacing the warrant and displaying another paper for all to see. His unhurried eye moved across the camp, and he stepped his horse up a pace or two.

"This here is a search warrant." He spoke more slowly now, a sentence at a time. "This paper says that the Sheriff of McIntosh County wants us to take a look at this camp. We think we'll find some things that have been stole, an' we're gonna take these things back."

The warrants had been obtained from Bun Ryal, a justice of the peace who lived two miles south of Hickory Ground. J. W. "Jack" Markey, Sheriff of McIntosh County, and his deputy had agreed that warrants should be issued. Due process of law would be observed in bringing in persons for questioning, arresting those believed guilty of crimes, and in searching their homes or camps.

But the Hickory Ground Snakes were not impressed. The man who had responded earlier snapped, "You better go! Ochee ain't here. You go!"

There was a murmur of agreement, and someone loudly jerked the lever of a carbine.

"All right, Jess," Deputy Center remarked coolly, "let's take a look around."

They dismounted, the deputy swinging from the right side of the saddle, his stiff left leg following awkwardly. They strode deliberately across the open center of the camp and entered one of the unoccupied tents. After examining two or three boxes and finding nothing of interest, they moved to a second tent. As they methodically searched a third and a fourth, the Snakes closed in around them. An undercurrent of restrained protest tinged with humiliation quickly gave way to angry demands that the officers leave.

Suddenly a number of rifles pointed menacingly, and the lawmen could go no further. They hadn't found what they were looking for, but it would be folly to argue. Somebody jabbed the barrel of an old .44 caliber Henry against Center's ribs amid muttered threats

and warnings. Holding the gun against the deputy, the man stepped around to face him.

He was a young Negro, perhaps in his late twenties, his broad unfriendly smile showing broken and discolored teeth beneath a sparse moustache. Facial features and relatively light skin suggested a generous amount of white blood.

Center recognized Willy Morris, and his right hand edged close to his revolver.

Abruptly the Negro lunged, viciously swinging his gun and narrowly missing the officer's head as Center dived to the ground. In the same instant, Beatty threw himself against the attacker and jammed a .44 hard into his side.

For ten seconds no one breathed. The scene resembled an exhibit in a wax museum, realistically portraying a dramatic moment in the winning of the West. Nothing moved, save pairs of eyes and wisps of restless dust. Then the Snake let his weapon drop to the ground and backed away. Guns in hand, the officers stepped cautiously to their horses and mounted.

In the saddle, the deputy sheriff wiped grimy perspiration from his face as the Snakes watched him in silence. Turning to the leader, he said evenly, "Take it easy. We jus' wanted to look around." Glancing at Morris, he holstered his gun and added, "Now we'll have to come back later."

As the two rode out of the camp, someone called after them, "You damn lucky, white mans! You sombitch better not come back!"

It was true. They had been lucky.

They were almost out of range when they heard four or five spiteful shots, but they had seen only two horses and knew there would be no pursuit. Now they headed for the little coal mining town of Henryetta, the nearest place where they could round up a posse.

* * *

That was on Monday, March 22, 1909. It was late Wednesday afternoon when a sizable posse finally left Henry-

etta for Hickory Ground. Deputy United States Marshal Frank Jones, Deputy Sheriff Dead Center, and police officer J. L. Beatty led a dozen public-spirited citizens who readily volunteered their services. All but one or two carried shotguns or rifles, and from the confident set of their weatherbeaten faces one might have thought they were going after a marauding wildcat. All of them had been deputized and were proud of their part in a mission to preserve law and order. They reassured themselves that what they were doing was right, that it was high time peace was restored permanently and the Snake outlaws brought to justice.

At thirty-seven, Frank Jones was a manhunter of proven ability. Of medium build, his every movement suggested both physical strength and the quick assurance of one who had learned to cope with the frontier and the people who shaped it. When Sheriff Jack Markey asked him to take charge of organizing and leading the Hickory Ground posse, it was with the confidence that the job would be done promptly and in a business-like fashion.

Markey, an old-timer pushing fifty, stood six foot four with his boots on. He had lived in the area ten years after leaving a blacksmith shop in St. Louis and heading west. His second wife had come with him, the first having died of pneumonia several years earlier. What Markey wanted Jones to do in the present situation, was to arrest the leaders, whether Indian or Negro, and search the premises until he was satisfied that no Snakes or stolen goods remained concealed.

"Keep 'em where you can see 'em, Frank," Markey had advised over a cup of coffee at the new three-story Palace Hotel in Checotah eighteen miles east of Hickory. "You know the lay of the land."

That was true. For several years Jones had been detailed to attend the hard-fought Indian ball games at Hickory Ground and to cooperate with the Creek light-horse patrol in holding bloodshed to a minimum.

"Okay, Jack," he agreed. "Pro'bly oughta come in from two or three sides a little after sundown."

"Uh, uh," the sheriff shook his head. "Too dark back in those woods. You couldn't keep track of 'em if they was to start runnin'. How about comin' up like you said an' then stay hid 'til dawn. It ain't so cold as it's been, and you'd sure as shootin' stand a better chance of a complete surprise. An' you're gonna need that."

The sheriff looked directly across the table at his friend, his stubby index finger punctuating against the checkered tablecloth.

"I want 'em rounded up quick and easy. With as many guns as they and you've got, somethin' could go wrong unless you're real careful. An' you better watch that breed nigger, Willy Morris. Center and Beatty had some trouble with him. He's a mean customer from what I hear, quick-tempered and nasty. Incidentally, you maybe should bring Dead an' Jess with you. Be good to have some experienced hands."

Jones nodded. "I've already spoken to 'em, and they plan to come. I reckon we can do it like you said, stayin' out all night, I mean."

"Well I think it's the least risky, an' I know it won't be the first time you've hid out all night trailin' some s.o.b."

"Reckon not," Jones smiled, remembering. "Went out to Hickory once too."

"When was that?"

"Oh, we was to pick up a Cherokee who'd killed some fella, another Indian's I recall."

"You got 'im, I guess."

Jones grinned. "Leo Bennett, Isaiah Thompson, and Tams Bixby were with me. I shot the Indian through the hips. Didn't seem to hurt 'im too bad, and Bixby—" Jones interrupted himself, chuckling, "Bixby had fired too and thought sure he'd hit 'im. He turned to me big as you please and said, 'Damn, I guess I killed that Indian!' We all said sure he'd done it, 'til Bennett couldn't keep a straight face any longer. An' Bixby had been chairman to the Commission for the Tribes!"

The two men laughed and Jones added, "You know, Leo was a right good doctor. Patched up that Cherokee so good he eksaped on a horse that same night!"

Markey grinned. "Then there was Rufus Buck who you delivered to Hangin' Judge Parker, an' I know you brought in Harmon Barnett, an' Al an' Lon Turner, an' the Mose Miller bank robbin' gang. All that's before I come here. Your ol' man was a lawman too, wasn't he?"

"No, but my uncle, Jesse Jones, was a deputy marshal. And I served under two marshals, Morton S. Rutherford and Leo E. Bennett—mentioned him a minute ago. That was in the fourth district of the Territory. In '03 and '04, I was with Bennett's traveling court in the northern district. We had two covered wagons and tents and folding chairs. Had a passel o' mounted deputies and a United States commissioner to issue warrants and hold preliminary hearings."

"Bet the bootleggers kept you plenty busy."

"Yeah, them and the new railroads. We was always makin' runs to protect silver dollar shipments. For a while there, I sure rode a lot o' trains."

Markey glanced at the large pendulum clock on the wall, abruptly shoved his chair back, and snuffed out his cigar.

"I better get goin', Frank. Almost forgot the Mayor wants to see me. He's really worried, prob'ly want to know if the town can stand up against Indian attack. See you in a day or two. You take it easy, hear? An' good luck!"

Jones gave a short wave, then headed for Henryetta.

Wednesday, March 24: A Proper Approach

The horses banked sharply around a curve in the dirt road, and a low, blinding sun caught Deputy Marshal Jones full in the face. Abruptly he slowed. Needn't be in such a hurry. Beatty and Center drew alongside.

"Gonna get chilly," Beatty said. "Might freeze to-night. Hope they've got a rip-roarin' fire!"

"Sure," Jones answered. "An' we can all roast weenies."

The posse rode up, dragging an unruly rag of red dust that swirled past them, then flattened and sifted down over the forming dew. The sun dipped behind softly folded hills, and the chill of evening crept quickly over the Creek country. The only sounds were muffled hoofbeats and the creak of saddle leather.

Now the men grew quiet and stopped joking about how they would spring their trap and round up the Snakes. The riders buttoned up their Mackinaws and stuffed cold hands into fur-lined pockets. A patchwork of shadows crisscrossed the road and camouflaged the clearings scattered behind the formless timber screen on either side. When Jones gave the signal, they bunched up and paused, listening for sounds from the Indian encampment. They heard only the quiet pulse of the wilderness at dusk.

In a low voice, Jones explained how they would surround their quarry.

"We leave the horses here and sneak up real quiet. We'll move up in three parts. Three or four of you come with me, an' three or four go with Jess. I'll go around so as to come on the camp from the northeast. Jess's men go left from here through the woods, then come up the draw from the southwest. The rest of you move with Dead around to the far edge of the meadow an' cut north by the creek.

He looked around to be sure they all were listening.

"Soon's you see or hear 'em, stop! Jus stay right there an' dig into the leaves for the night. But keep it quiet! No horsin' around. In the morning I'll pass the word when to close in."

All the possemen were white, but there was never any doubt that any of them would be as willing to serve

under Dead Center as anyone. The marshal paused, then repeated his instructions, raising his hand for emphasis.

"If any Snakes happen to stumble onto you, for God's sake grab 'em and hold 'em, but no hollerin' or shootin'. I mean, that's got to be un'erstood by every one of you men. Absolutely no noise of any kind! In the morning we move in *when I give the word*! We came out here to do a job, an' I aim to get it done without anybody gettin' shot up."

Jones surveyed his posse.

"Any questions?"

"Sounds okay by me," one man replied hoarsely. "We want these bastards as much as you do."

Others echoed their approval in low tones, and they all moved off the road and dismounted. The three patrols formed quietly and slipped into the darkening woods. Within thirty minutes, each had reached a strategic location where, by crawling a few feet and peering past rocks and fallen trees, the possemen could see the council house with its tall cedar pole. The Stars and Stripes tossed in a fitful breeze that swept low through the carpet of leaves, obliterating sounds of the officers finding sleeping places for the night fast approaching. Many of them unwrapped sandwiches and several had brought Thermos bottles of coffee, but none lit cigarettes. They spoke in whispers, which were lost among the countless little sounds that formed the breathing of the wild blackjack woodlands of eastern Oklahoma. Each patrol then established a watch.

The sky was clear and a few stars were visible when Timothy Fowler, an elderly preacher from Henryetta, knelt down behind a moss-covered rock and, holding folded hands above his upturned face, breathed a short prayer.

"Merciful Father in Heaven, watch over us this night, we beseech Thee, to the end that we may act with wisdom on the morrow in the service of Thy Kingdom. Amen."

Several voices repeated, "Amen." Then, those who

could sleep pulled their blankets around them, burrowed into the leaves, and dozed off.

A Flurry of Lead

The first trace of dawn was heralded by hungry squirrels tumbling out of their nests to greet the crisp new day. Their search for food was unexpectedly interrupted when they discovered the intruders. Low mounds of frosty foliage trembled, heaved, then burst in gentle explosions as Jones and his deputies, cold and stiff, rolled to sitting positions and tried to restore circulation to their numbed bodies. The sentries, on watch since about three o'clock, welcomed company, and all reported no activity in the Snake stronghold.

"Ain't been nothin' goin' on down there that I could tell," Jess Beatty whispered harshly. He cleared his throat and bit off a chew of tobacco. "Kinda hard to see, though. Foggy in the low places. But I know one thing, for sure: They kept their fires goin' all night, so's they're a damn sight more comfterble than we are."

Beatty stretched and yawned, his breath forming a mist that clung to his stubble beard. Through half-closed eyes he watched a squirrel hurry to the security of a den tree, from which it loudly scolded its displeasure with the unforeseen turn of events.

"Now if that ain't a caution," he mused aloud. "Seem like the Indians'll hear that racket for sure an' guess somethin's amiss."

"Haw," sneered a man who had been one of the leaders during the lynching at Henryetta. "You been readin' too many storybooks. This ain't hardly Hiawatha we're after."

Several men laughed softly.

"No, my friend, these are Snakes," he continued, "jus' Snakes an' their niggers. Believe me, they ain't got no secrets with Mother Nature. Christ, I'll bet the birds an' the beasts get sick when they're around." He leaned over and blew his nose without a handkerchief.

"Now you just wait a minute, Harrison Janes!" Timothy Fowler had just untangled his lanky frame, and now he bent low to fix large deep-set eyes on the other man still enshrouded in his blanket. Waving long arms expressively, the preacher spoke in a rich, mellow voice.

"Le'me ast y' somethin'. Did'ja ever see Crazy Snake?"

"Never had the pleasure."

"Well, I'm a-tellin' you he is one fine-lookin' Indian. Not Hiawatha, like you say, but boy howdy! He really looks the part. His reg'lar name's Chitto Harjo, y'know. He's a tall, straight fella, walks like a chief—with dignity, y'might say."

"Hell, he's proud enough alright. Thinks he's too goddam good for ord'nary law. I'll bet he thinks he should of been the first gov'nor of the state." Janes smiled as he warmed up to the idea. "Why, I'm su'prised he hasn't run for some high falutin' office long ago."

"He has," remarked a deputy who looked part Indian. "Ran for principal chief of the whole Creek Nation a few years back."

"Shit, that don't su'prise me none," Janes replied with derisive emphasis. "But I mean some *civilized* office. He's a powerful speaker, I've heard. Be a great campaigner!"

"Say, you might could tell me somethin'," one of the listeners said to the mixed-blood deputy, deliberately changing the subject. "I've only been in the territory—I mean the state—three years. I've heard tell the Indians had some kind of big doin's here at Hickory Stomp Ground. You know anything about that?"

"Oh, I could tell you a few things," the man answered nostalgically. "They had some real wonderful times here—dances, games, celebrations, special ceremonies. Like when the corn gets ripe in August. They'd throw a shindig lasting either four or eight days. Creeks like to do things in fours and eights. The Hickory gatherings were mostly eight-day affairs."

He paused, but the others urged him on, the one who had first inquired saying, "I've heard tell that the corn

harvest is the big time of year for most Indian tribes, the ones that grow corn, I mean."

"Well," continued the mixed-blood, "it's really more than that for the Creeks. It's a lot like a New Year's celebration. Crops that were planted and grown during the year are finally ready for harvest, which means the year is over."

Several men listened attentively, flexing numbed fingers and breathing warmth on cold hands.

"Now that makes sense!" Fowler declared a trifle too loud, his eyes wide with new-found truth. "And it's the best time of year for socializing!"

"Sure it is. One of the main events was lighting the new fire," the narrator went on quietly, sensing continued interest. "That was done by an official firemaker. There'd be logs pointed in all four directions—north, south, east, and west—and when the new fire got going, all other fires would be put out and the ashes raked away. Then, with nothing but new wood and clean fireplaces, everybody started new fires from the big one in the square—that's where the four logs were."

"What'd they do thet fer?" one of the younger men asked. "Seem like fire's fire; old or new, it's jes's hot."

"Well, they wanted to start the new year with a thoroughgoin' housecleanin'. You got rid of old pots and pans and any worn-out clothes, even left-over food. Everything that would burn was thrown into a huge bonfire so they could begin all fresh and clean. The old people still do this. It was a time for prayer too, Mr. Fowler; prayer and thanksgiving. Start the coming year with a clear conscience, no bad feelings, and not owing anybody anything."

Suddenly Dead Center jerked them back to the present with a terse warning that Marshal Jones was ready to attack.

"We've been watchin' 'em pretty close," the black deputy reported, "an' it looks like there might be more men than we figgered. Frank says for me to go after help

just in case. Hold your fire 'til he hollers or somebody starts shootin'. An' remember, you most likely ain't got the ammo they got, so stay down an' aim straight, if it comes to that. 'Course they might jus' give up. That's what we're hopin', but it don't hardly seem likely."

"I'd a whole lot druther stay with you," he added, knowing that Jones would have sent someone else if he had not thought it necessary to get prompt reinforcements.

"Be careful going back," Fowler urged. "Might be lighthorse working around behind us, you never can tell."

"I'll watch it," Center promised, checking his revolver and shoving it back into a homemade Mexican-style loop holster with the leather around the trigger guard cut away. Dead Center was not the best shot in the world, despite the nickname, but no one drew faster. Besides, he was one of few who could "fan" the hammer of a single-action weapon with reasonable effectiveness. It was a rapid-fire technique seldom accompanied by any kind of accuracy, but what Center could do to a tin can at fifty yards was legendary.

"Well, here I go," he said. "You better get down, Tim. They might see you. Take care of yourselves, boys."

With that, he slid over a rotting log and, half dragging his stiff leg, scurried down the slope toward a dense clump of willows that marked a frozen spring.

Timothy Fowler, seemingly fascinated by the deputy's hobbling gait, stood watching as Center reached cover and paused for breath.

"Get down, Fowler!" someone hissed.

The old man turned, but it was too late. The impact sent him sprawling backward into a rocky gully, flecks of red splattering from his head.

Instantly the deputies began firing from all three vantage points. However, a dozen or more Snakes, well concealed in the mist-shrouded underbrush along Coal

Creek, loosed a withering fire that clearly took the posse by surprise. At all stations, the lawmen were forced to remain under cover, shooting from prone positions at an enemy they could seldom see.

As the battle progressed, fewer and fewer Snakes remained in the camp. Some managed to join those by the creek, and as the morning sun dispersed the thinning vapor, others were seen running into the woods. After fifteen or twenty minutes, the Hickory Ground defenders relaxed their spirited if rather blind offensive, and began to fire only when fired upon.

"Maybe they're runnin' outa shells," Jones said to the man next to him. "Say, what's the matter, you hit?"

"Yeah, but it ain't bad. I'll be okay." The injured man, a grocer by trade, was tying a handkerchief around his bleeding thigh.

"Here, sit down. I'll tie that . . . Can you make it?"

"Sure." The man winced as he moved to a sitting position, supporting himself by grasping a protruding maple root with one hand and Jones' arm with the other. "Damn it to hell," he muttered through clinched teeth. "Now how do y' s'pose they got me in th' laig? I been layin' flat on m' belly the whole time. Anybody else hit?"

"Don't know. Somebody said Fowler's dead, but I don't know for sure."

"Dead! Jesus. Wonder why he came with us anyway. Never had a gun, did he?"

"No."

Fifteen minutes later the fight was over. Snakes along the creek had abandoned their forward position and retreated to a small frame building between the stream and the council house. There were a few more sporadic shots. Then, about half-past eight, a broom handle was cautiously poked through a shattered window, a rag tied at the end signaling that they had had enough.

Deputy Marshal Jones quickly ordered a cease fire and took charge of the surrender.

"All right," he shouted, "come on out! All of you! Keep your hands high and no guns. Let's go!"

A crowd of ragged, frightened men, hands high over their heads, stepped from the building and silently assembled in the sunlit clearing. As Jones and his deputies stepped warily from the cover of the woods, they surveyed their prisoners and realized that their fight had been with a band of Negroes, not Indians. The deputy marshal counted forty-two, plus a white man and the sullen mixed blood, Willy Morris. About fifteen were believed to have escaped.

The possemen fetched their horses and lost no time marching the vanquished toward the railroad tracks about a mile away. The morning train to Checotah would be along within an hour. A few deputies stayed behind and gingerly began peeling off blood-stained shirts and trousers.

"Any of you men hurt bad?" Jones asked as he rode up.

The wounded officers looked at one another, and it was apparent that all injuries were relatively slight. The deputy marshal then turned his attention to the council house and called out, "You men in there find anybody home?"

They came out, heavy boots clumping noisily over the plank flooring, and reported that there was no one home, dead or alive.

"We'll take a look around," Jones directed. "It's gotta be quick, though. We've gotta get these men to a doctor. So let's get a move on, but keep your guns handy."

Within fifteen minutes, an assortment of household articles had been placed in the ceremonial circle, where the Creeks had held their annual corn dances and special rituals.

"Looks like they're findin' some stolen stuff all right," one of the wounded remarked.

"Hell, it's *all* stole," snorted Harrison Janes, the man

who had so sharply distinguished between a Snake Indian and Hiawatha. "Where would a gang of state niggers get anything—in a honest way, I mean?"

"Well, some of 'em might of worked on the railroad."

"Haw! Where'd you s'pose they got the guns and knives we took offn 'em? Sixteen steel ball rifles an' a bucketful of pistols, that's what Jess counted."

They watched Jones and his party leave the tents and spread out through the underbrush and surrounding woods.

"Damn funny they haven't found any dead or wounded," a deputy growled irritably. "I know I got one and maybe hit others, and I heard a few of the boys saying the same thing."

But when the marshal and his men returned, all they had found was two dead horses. Mopping the sweat from his neck, Jones made no attempt to hide his puzzlement and disappointment.

"Beats the hell outa me," he sighed. "They must of carried 'em off. I know for a fact that at least ten, maybe twelve, were dropped in their tracks, an' I saw others that were hit, or they were puttin' on a mighty good show."

Three of the wounded were helped into the saddle, but two with leg wounds could not ride and were placed beside Fowler's body in the light wagon that had been driven out by Dead Center. One or two hundred dollars worth of stolen goods, including cooking utensils, a phonograph, and even a magic lantern, were left in the tents to be picked up later.

"I sure am glad you brought this reinforcement wagon, Dead," said Jess Beatty with mock seriousness. "When I seen you a-goin' back to Henry, I said to m'self I said, 'Yessir, we're safe now. Ol' Dead Center'll come get us out.' An' sure 'nuff—here you is!"

They laughed at Center's obvious embarrassment. When he seemed at a loss for words, they laughed again in the boisterous, relaxed way of the victor who has

proven himself and knows he will not be challenged again for quite some time. There was no malice in having fun at Center's expense. He'd brought in his share of lawbreakers, and they knew it. In fact, that was how he caught the bullet that stiffened his left leg.

Almost everyone in Okmulgee remembered the day Center shot it out with Ward Starr. Almost everyone in town was a witness. Starr, who was known to travel at times with outlaw gangs working out of the Nations, had come running from Everett Redfield's barber shop with the sheet still on and lather all over his face, shouting, "That's fer enough, Carson! I tol' yuh I'd find yuh."

Dead had turned to see what the commotion was all about, but did not know that he was "Carson," and did not reach for his gun. It was only when he saw Starr face him and draw that he dived headlong into the dirt, found his own weapon, and fired, all in one motion. Fanning rapidly, he threw a lot of lead while Starr fired once. Center was struck in the leg, but Starr was hit three times and lay stretched out dead in the street. No one knew who "Carson" was, and no one ever found out. But for months, a favorite saloon phrase was, "Thet's fer enough, Carson!"—especially if Dead Center was within earshot and some kind of sheet was within reach.

Sheriff Center had heard the sounds of the battle while he was slipping away from Hickory Ground. There was very little time to round up farmers in the area, but he managed to bring out five men with rifles and a supply of ammunition. By the time they reached the railroad, however, Frank Jones and the posse were herding their captives aboard a Missouri, Oklahoma and Gulf passenger train. The prisoners would be taken to the McIntosh County jail in Eufaula or the federal lockup in Muskogee.

"Anyway, this should quiet things down for a spell," Jones remarked hopefully. "I know for a fact it'll be a

mighty big relief to the people in Henryetta." His face was unshaven, but he showed no ill effects of the night in the woods.

"I don't hardly think so," Center replied thoughtfully, a slight frown knitting his brows.

"No? Why not?"

"Well, Frank, you see any Indians in this crowd?"

"Just Willy Morris, he's almost half-Creek. Some of the blacks prob'ly live with the Creeks an' might be enrolled members of the Nation."

"But no real Indians," Center insisted earnestly.

"Well, no, I reckon not. But they might've got away."

"That's the trouble. Folks'll be askin', 'Where's Crazy Snake an' his full-bloods?' The Indians have been shot at now—leastways that's how it'll look—but that won't scare 'em off. These Snakes are mean, an' they'll be fixin' t' even up the score. That's what folks'll be thinkin', or I miss my guess."

"Snake has *not* been shot at!" Jones objected emphatically. "Couldn't 've been many full-bloods there last night. You jus' said so yourself."

"Maybe not, but you can't be sure. For all you know, the Chief might've been one of those who got away. Ain't that so?"

"It ain't likely." Jones wished to hell he could have prevented any of them from getting away.

"No, I guess it ain't, but people are goin' to tie the Snakes up in this bundle, an' you can't prove they're wrong. Most people I know don't see much diff'rence between breaking the law and jus' not obeyin' it. These tramp niggers are nothin' but two-bit thieves, not worth a damn to nobody, black or white. But the Snakes, they're leaders. An' ain't it the leaders, the ones who stir people up, that'll be held responsible?"

"An' the leader of the leaders is Crazy Snake, that it?" It seemed farfetched, but more than once Jones had seen sensible people abandon all reason in their frenzied search for someone to blame, someone upon whom

they could safely vent their wrath and satisfy a primitive thirst for vengeance.

"I don't know," Center replied seriously, "but it seems that way to me. The whole country has been on edge for quite a while, an' now some law officers, all duly authorized deputies under a federal marshal, get shot up. That sounds more like the beginnin' of somethin' than the end!"

He was right.

A Critical Decision

That night, Frank Jones reported to Sheriff Markey in the dining room of the Palace Hotel in Checotah. He related everything just the way he remembered it happening, and blamed himself for having gone to Hickory with too few men and not enough ammunition.

"Well, I'm sure sorry about Fowler," the sheriff said when he had heard the entire story. Heavy black brows brushed across cavernous eyes, and he shook his head as though rejecting the tragic episode as something that never happened.

"Way it turned out, I guess we're lucky we didn't get hurt a lot worse." He stepped over to the coffee urn and refilled their cups. "I should've checked more careful on the number of men they had, although I'm sure Center and Beatty got a good count on Monday. Can't un'erstand you not findin' any Snakes, though, on the hoof or otherwise." His disappointment was evident, and he paced nervously in his odd, walking-on-eggs manner.

"I guess the word has got around by this time."

"I'll say it has! I came through Pierce this evening. People are crowdin' into the only store they've got. Gonna sleep in their clothes tonight with their guns loaded. Nobody wants to be out on a farm after dark. Lots of 'em were on the road to Checotah too, an' the situation is the same in Stidham, Okmulgee, Lenna, an' Brush Hill, an' of course Henryetta."

Jones shook his head, believing what he heard but, like his friend, disbelieving that it could be taking place.

"I thought maybe folks'd feel easier knowin' forty-two of the ones causin' the trouble are in jail."

"If Chitto Harjo was with 'em, things *would* be quiet! But now everyone figgers the ol' rascal is roundin' up whatever help he can get—Choctaws, Cherokees, western tribes—you name it. An' if it all blows over in twenty-four hours, we'll still have a investigation from the Five Tribes Office in Muskogee, you can count on that. In the meantime, the newspapers are scarin' the piss outa everyone." He dabbed at his handsome handlebar moustache with a linen napkin.

"But the Indians have come into the towns before without all hell breakin' loose. Remember a few years back when everyone was scared to death the Snakes would attack Bristow? The fella who was the Union agent wanted t' send in the calvary, but it all blew over."

"I know," Markey nodded, lighting a cigar. "It's been touch an' go before, an' we've stopped it with deputies an' even Indian police. But there never was anyone killed, unless some asshole guzzled some moonshine an' got trigger-happy. That's what's different now. An' that's one helluva diff'rence."

Still standing, he walked across the nearly empty room and scowled directly into the face of a mounted prime Texas longhorn. Not seeing the stuffed head, he ran a beefy hand through his thinning gray hair, then continued pacing, stepping carefully as though on ice, or fearing the floor would not bear his weight.

"Fowler's dead, five county officers are wounded, an' some Snakes have been shot." He ticked off the tally on his fingers, lowering his voice as they stepped into the lobby after paying the cashier. "There had to've been Snakes in there, Frank. Now it's time for us to act. An' I know what we got t' do." He paused a moment, his eyes fixed intently on the marshal. "We've got t' pick up the ol' man!"

"You mean Snake?" Jones asked, as though not sure he had heard right.

"You bet I do! Look, man, it's the only choice we've got. An' we need t' do it as soon an' as quiet as possible. We've got t' find 'im an' hold onto 'im 'til things simmer down, or we're in for real trouble, believe you me. An' so's he."

"But what's he done?"

"What's he done! Hell, you know damn well what he's done! He's the brains behind all the Indian problems we ever had around here. It ain't so much what he's actually done, though; it's more what he's aimin' t' do. I want t' cut off his water before it's too late."

They seated themselves on oak chairs facing the broad front window. Jones looked unconvinced, but he recalled Dead Center's prediction.

"That'll nip it in the bud, Frank," the sheriff argued. "You know it will."

"Yeah, reckon it would."

"Well, what's wrong with pickin' 'im up, then? Somethin's eatin' you."

Markey paused. He had hoped for a more enthusiastic response because he held the younger man in high regard and valued his judgment.

"Oh, I don't know," Jones said at last. "You might be right. But I'll haveta admit this bothers me a little. I don't mind trackin' down an' bringin' in a man who's breakin' the law or is dangerous, but . . ."

"Christ, he *is* breakin' the law, an' he *is* dangerous!" the sheriff interjected, leaning toward the deputy marshal and gesturing with clenched fists. "He's more dangerous than any single gunslinger in the whole territory or a whole gang of 'em. The state, I mean. This man could be buildin' up to somethin' big, an' once he gives the sign, you can bet your ass he'll get help from the Snake crowd in other tribes. Then I wouldn't give you a plug nickel for our chances of keepin' out the Kiowas an' Comanches, maybe even the Cheyennes an' Apaches. I mean it, man! This is serious!"

"You really think ol' Crazy Snake wants to fight it out?" The idea was hard to accept. And the Kiowas and Comanches!

"I don't say he does, an' I don't say he doesn't. He can call the shots any time he wants to, an' it looks like he's about ready. It ain't jus' me either. You've been readin' the papers. You know what people think."

"I know they're plenty worried, That's clear as gravel-bottom branch water, but a lot of 'em know Snake is no hot-headed, trigger-fingerin' young buck. Hell, Jack, he's *old*. Why, he must be . . ."

"That's just the point!" Markey perceived an advantage and pressed it hard. "Time is runnin' out for 'im, so he figgers he's got nothin' to lose. His own people are forgettin' im. He hates us as much as he ever did, an' he knows he's got to make his big play now or never. An' the Snake niggers'll back 'im. It's a tough decision to make, Frank, but believe me, I've thought about it plenty, an' I think we'll head off real trouble if we move first an' fast."

Sheriff Markey leaned closer to his friend and rested a weathered hand on Jones' knee.

"But I need your help," he added earnestly. "Can I count on it?"

Jones smiled.

"Sure. Like I said, you jus' might be right!"

II

CHITTO HARJO

On the Capture and Imprisonment of Crazy Snake (1901-1902)

Down with him! chain him! bind him fast!
Slam to the iron door and turn the key!
The one true Creek, perhaps the last
To dare declare, "You have wronged me!"
Defiant, stoical, silent, Suffers imprisonment!

Such coarse black hair! such eagle eye!
Such stately mien!—how arrow straight!
Such will! such courage to defy
The powerful makers of his fate!

A traitor, outlaw—what you will,
He is the noble red man still.

Condemn him and his kind to shame!
I bow to him, exalt his name!

The Creek poet Alexander Posey was not in sympathy with Chitto Harjo's resistance to the white man's law, but he and many of his kinsmen had great admiration and respect for the old warrior. The Chief, known to whites as "Crazy Snake," alias "Wilson Jones," was the living embodiment of the full-bloods' rejection of federal land policies. Perhaps he also symbolized the tragic struggle of all American Indians trying to preserve their way of life in the face of the destructive forces unleashed by an alien and overwhelming civilization.

His father, Aharlock Harjo, was a full-blood Muskogee, and while his mother is unknown, she almost certainly was of the same stock. The Muskogees had been the dominant tribe of the powerful Creek Confederacy that had existed in the Southeast when the first white men came to colonize the Atlantic coast. Early history is shrouded in legend, but according to

tradition among both Upper and Lower Town Creeks, the Muskogeese originally migrated from the West, across great mountains and broad, muddy rivers.

Ten years before he was born, Chitto Harjo's parents had been forced to migrate the other direction, from their home in what is now the state of Alabama, beyond the Mississippi and the Ozark wilderness to land "solemnly guarantied to the Creek Indians" by the Removal Treaty of 1832. Opothle Yahola, leader of the Creek Nation, signed the treaty and later led large contingents to their new home in the vicinity of the Three Forks of the Arkansas, Verdigris, and Grand Rivers in present Oklahoma. That is where Chitto Harjo was born in 1846.

He grew up amidst crosscurrents of tribal disunity and with the reality of white pressure all around. As a boy, he listened often to the long discussions of the old men, thoughtfully smoking as they described the mounting ills of their society, pondered the causes, and examined possible solutions. Often they talked about the ruthless persecution that had preceded Removal, and sometimes they spoke of the bloody Creek civil war of 1812-14 and its aftermath. The conservative Red Sticks had rebelled against the white man and sought to drive him out of the Creek country. They had some spectacular successes, but ultimately were all but annihilated by the towns friendly to the United States; and the bitterness remained.

Young Chitto Harjo also heard his father and other full-bloods lament the rise to power of mixed-bloods, who all too easily broke with cherished tradition and adapted to the ways of the whites. It had been thus long before the Removal, when a number of light-complexioned Creeks became *miccos*, or town chiefs, and wielded great influence in tribal councils. But in the time of his youth, the troubles of Chitto Harjo's world did not seem his own. He resisted being lured from his beloved creeks and forests, and the tenacious preservation of a crumbling relationship with mother earth

and with all mankind, into the here-and-now of human enterprise.

Chitto Harjo's own participation in the exchange of economic, social, and political ideas was postponed when the Creek Nation once again was drawn into the maelstrom of civil war. This time it was the white man's doing. In the fall of 1861, when he was but fifteen years old, he volunteered to go with Opothle Yahola's irregulars. The aging Yahola, one of the great Creek statesmen of his generation, had vigorously opposed concessions to the United States government, but when westward emigration became inevitable, he had devoted himself to helping his people make the transition and build a new life. Now he mistrusted the new government of the South and did not believe it would make good on its promises to negotiate new and more favorable treaties with the Indian nations.

Opothle Yahola, therefore, chose to remain loyal to the Great Father in Washington. He had personally journeyed to the American capital and signed the 1832 agreement that all Creeks remembered—the treaty by which the Nation was guaranteed their lands in the West. Before long, the full-blood Indians formed the Creek Loyal Party and supported the Union, while the restless mixed-bloods, hoping for a new era in their dealings with the white man, cast their lot with the Confederacy.

The ill-organized force mustered by Opothle Yahola, the Laughing Fox, consisted largely of the peaceful Upper Creeks, the Snakes. Having refused to join the Confederate Army, they were marked for extinction by the northward advance of a sizable battalion of Chocktaws, Chickasaws, and some Cherokees, reinforced by Texas and Arkansas cavalry. In the absence of tangible support from Washington, the loyal Creeks were compelled to provide for themselves and hope for an early rendezvous with Union military units across the territorial boundary in Kansas.

There were over a thousand women and children en-

camped near the junction of North Fork and Deep Fork a few miles north of present-day Eufaula. As they broke camp after dark on November 5, 1861, young Chitto Harjo was too busy helping with logistical problems to feel much of the excitement of combat. The biting winds of that terrible winter sliced into their crude shelters and through pitifully inadequate clothing as they tried desperately to drive their herds of priceless cattle and horses, forage for food, and keep the wagons rolling north.

There were indecisive armed clashes on November 19 at Round Mountain near where the Cimarron and the Arkansas run together, on December 9 at Little High Shoals on Bird Creek, and on December 26 at Shoal Creek. Each time, the Laughing Fox maneuvered the Creek refugees to temporary safety. But with each new sunrise, they were burdened with a trickle of new arrivals as full-blood Pins, Sticks, and Snakes among the Cherokees, Choctaws, Chickasaws, and Seminoles sought to evade rebel recruiters and stand firm with Yahola.

By the time they were overtaken in the snow-covered Osage Hills, their number included between twelve hundred and two thousand mounted warriors, including tough old men and trail-hardened boys. Ill-prepared as he was to provide protection to the families that kept joining them, old Fox Yahola played for time and edged ever closer to the Kansas border.

The fact was, however, that the Snakes were being cut to pieces. While they escaped capture and eluded a vastly superior pursuing force, during repeated skirmishes they suffered tragic losses. Their delaying tactics enabled many of the women and children to reach Kansas, but when the Confederate Indians and Texas cavalry finally closed the gap, the loyal Creeks were completely routed. Abandoning food and equipment, they fled through the night terrified and helpless, totally unable to shield themselves from an icy storm that mercilessly swept down

upon them out of the northwest. Many more died by the trail than were slain in battle before the surviving remnants reached the comparative safety of the upper Verdigris River.

For months they remained encamped under the most adverse conditions imaginable. Their number was increased by the arrival of still more families from the South, but the Union Army could not provide more than token assistance, and they died of exposure by the score. Even so, by the time these wretched people moved to the Neosho River in April, there were over seven thousand of them, men women, and children.

Late in the spring of 1862, Union officers were sent to organize Yahola's followers into the First Regiment, Indian Home Guards, and Chitto Harjo went with them. They fought victoriously at Locust Grove in July and captured much needed commissary supplies, but in the ensuing year they seemed completely forgotten by both civil and military authorities in the North. The winter of 1862-63 reduced them to a status of demoralization and struggling impotency.

Opothle Yahola died in May, and Chitto Harjo joined a guerrilla band that carried on intermittent skirmishing in the region between Fort Smith and Fort Gibson until the demobilization of the Guard in May 1865. The young warrior was then nineteen years old and had given a good account of himself under fire. He had learned how to be a soldier and how to stay alive in the field in winter. He had witnessed the amputation of countless frozen limbs and had seen hundreds of women and children die from exhaustion, disease, and exposure in the subfreezing temperature. He learned that successful military action depends as much upon organization and planning, and food and clothing, as upon guns and bullets. During the unsystematic hit-and-run engagements of 1863-65, his experience and judgment were put to use. He personally led several

forays against crop-burning raiders and directed supply and stock-piling operations in Creek and northern Cherokee refugee camps.

* * *

During the years of Reconstruction, Chitto Harjo supported the Snake opposition to the land apportionment plan being advocated by humanitarian groups in the East. In 1869, the Board of Indian Commissioners was created, and one of its first recommendations was land allotment. In the eyes of the Board, acceptance of individually owned plots of ground was clear evidence of Indian progress. The Commissioner of Indian Affairs agreed, and so did many well-meaning friends of the Indian, whose faith in private ownership far exceeded their understanding of the Indian or the conditions of his existence.

So it came to pass that in 1887 Senator Henry L. Dawes' general land tenure bill, known as the Dawes Land Allotment or Dawes Severalty or Indian Allotment Act, became law. The Five Civilized Tribes were exempted, but the Act was a preview of things to come, and in 1893 President Cleveland appointed Senator Dawes Chairman of the newly established Commission to the Five Civilized Tribes.

The new organization, called the Dawes Commission, was directed to negotiate with the Indians for the termination of the communal titles to their land. Nine other members served during the life of the Commission, and when it was abolished in 1905, Tams Bixby, who had become Chairman after Dawes' death, carried on as sole commissioner. He resigned in 1907, and was succeeded by J. George Wright. In addition to the commissioners, the Commission employed hundreds of clerks and various assistants. Except for temporary moves to Vinita, Indian Territory and Fort Smith, Arkansas, Commission headquarters was in Muskogee.

In 1895, Dawes Commission surveyors swarmed over the Creek country, and a year later all Creek citizens

were placed under the jurisdiction of United States federal courts. Then, under the Curtis Act of 1898, the allotment of Creek lands and sale of the Nation's town-sites became a reality. Two years later, about five hundred Creek full-bloods, under the leadership of Chitto Harjo, quietly attempted to establish their own government based upon the ancient treaties. The only overt action resulting from this undercurrent of reaction, which also existed among the Cherokees, Choctaws, Chickasaws, and Seminoles, was the Snake Uprising of January, 1901.

At that time, Chitto Harjo was a member of the Creek Nation's House of Kings. Notices were posted announcing restoration of the tribal institutions, and Creeks were cautioned to accept no land allotments and to surrender any allotment certificates they might already have received. White citizens were warned that their land and livestock would be seized and held as Snake community property. The Chief then gave formal notification to President McKinley that the Snake band had taken over the Creek national government and that any orders from Washington concerning allotment were considered null and void.

When several hundred Snakes were reported in council only a few miles from the town of Bristow, white citizens began asking for protection. Alarmed by the unusually large number of Indians and the movements of their mounted lighthorse, people feared their houses might be burned and that open warfare was imminent. The Union agent at Muskogee* notified the Commissioner of Indian Affairs in Washington that the Indians were resisting arrest and it was "feared that many innocent persons will be murdered." He recommended that federal troops be ordered to the scene, but this was not done, and in a few days things were back to normal.

*The separate agencies for each of the Five Civilized Tribes were consolidated in 1874 as the Union Agency.

Nevertheless, the Snake faction did disturb the peace and threaten the security of the rest of the tribe and their white neighbors. Consequently, deputy marshals and Indian police arrested ninety-four full-blood Indians, sixty-seven of whom were tried before United States District Judge John R. Thomas. Judge Thomas sympathized with the Indians and gave them their freedom when they promised to obey the law, but it was impossible to compel the Snakes to accept the parcels of land assigned to them by the United States government. Old generation Creeks saw nothing of value in a piece of paper purporting to grant them individual ownership of bits of the Earth. Sometimes, selection of their land was made for them by the Dawes Commission, but when certificates arrived in the mail, the full-blood Indians simply returned them.

At length, Chitto Harjo and some of his close associates did interfere with federal law to the point that not only were they arrested and tried, but they were placed under two-year suspended sentences in federal prisons. Those who agreed to sign up for allotment were paroled and given 160 acres in the vicinity of their homes. "Old Snake" would have none of it, however, and in February, 1902 he was included in a group convicted of conspiracy and sent to Fort Leavenworth Federal Prison. He was a model prisoner, and after serving less than a year of a two-year sentence, he was pardoned by President Roosevelt.

By this time it was clear that the majority of the Creek Nation did not wish to travel the same road as did Chitto Harjo. They would not elect him Principal Chief or permit him to represent the entire tribe in Washington. His loyal following of thousands dwindled to a handful of old-timers, the full-blood Indians, some of whom had migrated to the Indian Territory from their ancestral home hundreds of miles to the east. This adamant group of perhaps two or three hundred gave him their steadfast support, turning their backs on the

liberal majority that was willing to cooperate with the United States government and adjust to the outrageous demands of white society.

As they retired from the mainstream of the last frontier of the Old West, the Creek Indians of the Snake philosophy tried to carry on the old way, for them the only life worth living. Each family owned a horse or two and a few head of cattle. They planted enough corn to enable them to make enough "sofky" (*osafki*), a soured gruel cooked with lye and water and found on every Creek table. Cotton, wheat, and oats were the main crops, in addition to vegetable gardens and a few fruit trees. Not many tried to farm for market, since transportation throughout the rugged hill country was exceedingly difficult and the risk of spoilage was great.

Chitto Harjo was considered a well-set-up Indian. He had a good farm a mile or so north of Pierce near the eastern base of Tiger Mountain, a heavily timbered rise some twelve miles east of Henryetta. Pierce consisted largely of one store which sold almost anything a person would need. The only telephone for miles around was marked by wires strung on trees and fences, and the nearest railroad station was at Checotah, fifteen miles northeast.

The Snake chief lived in a one-story, eighteen-by-twenty foot log house with a small porch. It faced east, away from a ravine which ran in a southeasterly direction to the Canadian River bottoms. South of the house was a separate kitchen cabin, a barn made of log framing and pine siding, and a log smokehouse. His meadows and woodlands afforded pasturage for several horses and a few cows, but as the years went by, he sold some of the horses and did not replace all the beef he slaughtered. A number of pigs were kept in a pen north of the barn, and of course there were the usual vegetable garden and sofky patch. Living with him and his wife were two sisters and, from time to time, an educated son, Louis, also known as Legus Jones.

Chitto Harjo's home was a favorite gathering place of the old-timers, and it was not unusual that a dozen or more horses would be tethered beside the house, with the saddles lying on the porch or lining the railing. The really big meetings were held at Hickory, the traditional stomp ground, but those held at the Harjo home were watched with equal apprehension by white farmers whose suspicions were easily aroused by any caucus of the Snake leadership. Such gatherings often were the prelude to specific action, such as posting resistance notices, holding a powwow at Hickory Ground, or a trip to Washington, D.C. to present Snake grievances and gain support for a return to the old ways.

During these visits to Washington, Chitto Harjo and others would talk with United States Congressmen and Senators or their aides, and they would discuss problems with attorneys retained by the Snakes from time to time. There is no record of the Indians having been encouraged by government officials to believe that their lobbying efforts would in any way be rewarded. In June of 1909, the Commissioner of Indian Affairs wrote to an Oklahoman that the Snakes were "wasting their time and money in holding conferences and paying the expenses of attorneys and delegates seeking to have the conditions provided for under the old treaties restored."

Be that as it may, there were other people in Washington all too willing to accept "lawyer's fees" the Indians could ill afford. These individuals promised to bring about changes in federal Indian policy and urged the Snakes to organize their own government. To the Creek full-bloods, these unscrupulous men seemed to offer hope of a new day just around the corner. If the Indians ever began to suspect the truth, it was not evident in their unswerving determination to keep up the struggle. They would accept no compromise with the forces that were inexorably stomping the old civilization into dust.

For all his being a troublesome old nuisance to many state and federal authorities, Chitto Harjo was a splendid, noble character. His people followed him along a path that led nowhere, and they naively listened while he promised them everything and could give them nothing—or was it nothing? Victims of unbelievable greed and stupidity on the part of their conquerors, they craved understanding and leadership, and that is what he offered them. They needed assurance, moral strength, hope for the future, and all this he gave them, too.

In the long run, the most courageous of the Creeks may have been those who earlier had seemed too ready to give in to the white man and even collaborate with him. Often these were the mixed-blood Indians, Creeks with varying amounts of white or Negro blood, or both. They felt less pride in their past, less commitment to tradition. For them, adaptation was the watchword if they were to successfully meet the challenges of their changing world. For them, Crazy Snake was a stubborn reactionary, and his program contained no appeal whatsoever.

In 1906, a Senate investigating committee visited the Indian Territory to sound out public opinion about ending the prohibition against sale of allotted full-blood and half-blood land. The open hearings conducted in Tulsa (an old Creek name) attracted considerable attention, and people traveled from many miles around when they learned that on November 22, Crazy Snake would testify in the old Elk's lodge on West Third Street.

The committee was composed of five Senators, including the Chairman, Clarence D. Clark of Wyoming. They were pressed for time, having held hearings in Ardmore the previous day, and they had even taken additional testimony aboard the late afternoon train to Oklahoma City. Upon arrival in Oklahoma City, they had gone directly to a hotel for dinner and managed to

crowd in a motorcar tour of the town before catching a 10:00 P.M. special train to Tulsa, where they could remain only one day.

Chitto Harjo was preceded by three other witnesses, two oilmen and a banker. When finally his name was called, there was standing room only in the hall. He rose solemnly and, with mingled confidence and deference, addressed the Senators. He spoke calmly, using few gestures and choosing his words with skill. Of course, he spoke in the Muskogee tongue, and an interpreter translated.

The interpreter was David M. Hodge, a Creek who had long been active in tribal affairs and often had served as an official agent and authorized delegate of the Creek Nation. He explained that his services were acceptable to Chitto Harjo, who knew that a poor translator can cause much misunderstanding.

"He accepts me, and I will do the best I can," Hodge told the committee. "I will aim to give you an absolutely literal interpretation, as near as I can, for that is the way I do it."

Chitto Harjo had much to say, and he began at the beginning—with the discovery of the New World. Chairman Clark interrupted to point out that time did not permit a review of conditions existing at the time of Columbus.

"All this is unintelligible, and we cannot spend all afternoon in this way. We want you to condense everything." Turning to Hodge, he stated, "We do not wish him to be limited in making his presentation, but wish that it be limited to the essentials. Please translate that to him."

Chitto Harjo listened attentively to the interpreter, nodded gravely, and patiently explained that it was necessary to "make a foundation for what I have to say; for, of course, a thing has to have a root before it can grow."

Then he continued, beginning with the white man's

Civil War. Press reports the following day spoke of the classic simplicity of his remarks and declared that they aroused the sympathy of all who heard. It was the final plea of the last generation of American Indians, who lived before the lingering vestiges of the frontier disappeared beneath the new horizon of the twentieth century.

"Whom did you say you represented here?" the chairman inquired.

"I am the speaker for my people," was the reply. "I mean the full-bloods, who want to retain their tribal relations as of old, and do not want their land in severalty."

He produced a copy of the Treaty of 1832, and insisted that more recent agreements could not possibly provide for allotment because of the guarantees in the old treaty.

"I have always been asking for justice," he said quietly. "I have never asked for anything else but justice. I never had justice."

Vividly he recalled the Creek Nation's long trek west of the Mississippi and his own service in the Union Army. He spoke of the promises in the early Creek agreements with the white man and reiterated his firm belief that they were still in full force. The intent and lasting commitment of the Great Father in Washington were to his mind unmistakable and unchanged.

"He told me that as long as the sun shone and the sky is up yonder these agreements will be kept . . . He said as long as the sun rises it shall last; as long as the waters run it shall last; as long as grass grows it shall last . . . We have kept every term of that agreement [the earliest treaty]. The grass is growing. The waters run. The sun shines . . . I don't know what the trouble is now . . . I think my lands are all cut up. I have never asked that be done, but I understand it has been done . . . I am informed and believe it to be true that some citizens of the United States have title to land that was given to my

fathers and my people by the government. If it was given to me, what right has the United States to take it from me without first asking my consent? . . . The white people have run all through me and over me and around me and committed all kinds of depredations, and what I have left is precious few . . . I am here appealing to you to have the laws carried out."

A committee member turned to Mr. Hodge as Chitto Harjo bowed and left the room.

"Do you believe that the old man is honest in his statements?" he asked.

"Yes, sir!" the interpreter replied emphatically. "He is as honest and straightforward and sincere in his statements as a living man can be."

III

THE CABIN FIGHT

Saturday, March 27: The Posse

Sampson's Livery Barn was one of the most flourishing enterprises in Checotah. Behind its facade of pine siding and cracked white paint were housed several wagons and buggies, and as many as ten visiting horses could be accommodated at one time. It was unusual that by nine o'clock on a bright Saturday morning the stables were empty. Sampson's horses, along with everyone else's, were scouring the countryside in search of Creek Indians of the Snake band. Latecomers who couldn't get saddle horses simply piled into rented wagons and rode from town to town, stopping to work fields and wooded tracts likely to provide cover for fair game.

Front Street, a scarred thoroughfare of dried mud and rock, was unusually active for a Saturday morning. A number of horsemen rode about, drawn toward two or three groups and moving between them. Most of the activity centered about West's Hardware & Mercantile Company, where men were clustered on the broad boardwalk as well as inside the store. Henry West had sold eleven rifles and six revolvers since Thursday and had to reorder ammunition.

Over at Sampson's tie rail two horses stood motionless, looking like bronze statues in the early sunlight. A three-seated surrey and a newly painted spring wagon, still available for hire, were parked nearby.

Since the fight at Hickory, a number of families from the area, both white and Indian, had moved to Checotah for protection. Men sent their wives and children to points of safety, then armed themselves in preparation for the attack everyone expected. The first night after the Hickory battle, there was a good deal of raiding within a radius of about four miles of the Stomp

Ground. Some food was stolen, but general terrorizing seemed to be the real objective.

The raiders may have been "on the state," drifters not associated with the Indians, but most white people saw a pattern in stealing chickens, disobeying the laws of Congress, and meeting in secrecy. The pattern was easily extended in the minds of frightened homesteaders to include hordes of ready allies on the reservations farther west.

Until a few weeks before, the Apache chieftain Geronimo still breathed, and less than five years had passed since the death of Chief Joseph, the Nez Percé. An entire adult generation could yet remember the slaying of the Sioux medicine chief, Sitting Bull. There was little doubt that thousands of seasoned warriors could still take the field, given sufficient provocation and the right kind of leadership. When the posses formed on Friday and Saturday could find almost no Snakes, few questioned that it was because they had joined armed units in the Concharta Mountain wilderness between Hickory and Checotah.

The knot of men at West's Hardware grew larger, and when officers Dead Center and Jess Beatty swung into the saddle, about twenty others followed suit. Center and Beatty had led a dozen special deputies in a futile search for Snakes after the Stomp Ground fight. Now they were preparing to return there. Anyone on the premises would be ordered to leave, and if they refused, they would be escorted to the Eufaula jail. Since resistance was anticipated, the posse was well armed and carried reserve ammunition. They spread out along Front Street and moved off to the south, leaving Deputy Marshal Frank Jones standing alone.

He watched them a moment, then stepped to the rail and untied his horse. Holding the reins, he led the animal to Sampson's, where he tied it alongside the two already there.

Sampson, Lee Bateman, and Bill Carr were having mid-morning coffee when Jones entered.

"Hi, Frank," drawled Carr. "How about some Java?"

Carr was a big, rugged man in his late thirties. A tanned complexion and jet-black hair gave him an appearance of being more than one-quarter Creek.

"Hi, boys," Jones answered. "Don't mind if I do." He walked back to the stove and poured himself a cup.

"Jess an' Dead gone?" Bateman asked. "Thought I heerd 'em go by." He was a tall, tobacco-chewing man of about forty.

"Yup. Had twenty men with 'im."

"They gonna attack at dawn again?" Ben Sampson asked. Ben had a warm smile, kind of like a friendly horse.

"No, but you can bet they're ready for a fight," Jones assured him. "They an' a bunch of others didn't see any Snakes yesterday, so maybe they're out at Hickory."

"What if it's just niggers out there?" Sampson asked more seriously.

"Beatty and Center'll tell 'em to skedaddle. If they got any other ideas, they go to jail."

"Heck," Carr snorted, "half them black boys is more scare't than the whites. They better not hold 'em long unless they can pin somethin' on 'em."

"Don't aim t' hold 'em long," Jones replied. "Jack figgers it'll help cool things off if we round up a lot of 'em an' let 'em simmer down in the lockup."

"I dunno," Carr said skeptically. "Markey seems awful anxious for a scrap. Maybe I'm wrong, but it don't make much sense to me t' pack all them people into the jug. An' now we're s'posed to pick up Ol' Snake. What d'you think? You know Chitto better'n I do. In fact, you've run 'im in, haven't you?"

"Yeah, a coupla times. Don't think it ever did no good neither. He'll never change."

"What's he like—when he's up agin' th' wall, I mean?"

Bateman asked, his cheek bulging with a quid of tobacco. "Ever give you inny trouble?"

"No, he's like he always is, real quiet an' peaceable. I took 'im from his place to the jail in Muskogee one time, an' he was as polite as you please. Dead Center brought 'im in twice that I know of, an' he had no trouble."

"Think it'll be easy this time?" Brown juice escaped between Batemen's lips, and he wiped it away with his hand. He made a snapping sound with his tongue against the roof of his mouth. It was a habit he had.

"Sure, if he's there. But I think the Indians are hidin', an' if they are, well he's most likely with 'em."

"Hiding! What the hell for?"

The men turned to the open window where a lean young man rested his smooth chin on arms folded across the sill.

"Hi, Larry boy," said Bateman. "Where's yer ol' man?"

"Can't come. Had to go to Tulsa for some meetin'."

"What?" The men looked surprised and somewhat taken aback. Sheriff Markey's son left the window and entered the room.

"Pa says to go without him." He hesitated, then added, "He thought it would be okay if I went too since Dead Center's out with his own bunch." He looked at Jones.

The deputy marshal had known Larry Markey for a long time, but now he sized him up anew, noticing for the first time that he wasn't a boy any longer, that he looked well formed and strong. Jones noticed the familiar gunbelt and six-shooter and the new Savage repeater.

"Jack said you could come?" he asked, not unkindly.

"Yeah, he did. I'm a pretty good shot. Leastways, I do all right in the turkey shoots."

"This here ain't no turkey shoot, though," Carr remarked without looking away from the cigarette he was rolling. "Who you aimin' t' shoot?"

"Hell," the young volunteer smiled in embarrassment, "I ain't aimin' to shoot anybody. I just said I'm a pretty good shot. There was shootin' at Hickory, wasn't there?" He pushed back the low-crown stockman's hat and fished for some tobacco in a shirt pocket.

Bateman, making use of the spitbox at his feet with only fair results, nodded and murmured, "Sure was."

Encouraged, Markey continued.

"Well, you might could use every gun you can get. From what I hear, the hills are crawlin' with Indians from all the Nations."

"Larry," Jones advised quietly, "we're goin' after Crazy Snake to stop trouble, not start it."

"Hell, I know that, Mr. Jones. I just want to help. I wouldn't draw unless you gave the word."

"Let 'im come, Frank," said Bateman, drying his chin with his sleeve. "His daddy said he could, an' he wants to, an' could be we'll be glad to have 'im. I seen a good many Injuns totin' food to Snake's place of late, an' I heerd he was buyin' up groc'ries in Henry yestiddy—'nuff t' feed half the Creek Nation. People are a sight riled up right now 'thout him kickin' up more sand."

"That makes sense to me," Sampson commented. "Like the man said, a ounce of prevention is worth a pound of cure."

The men all glanced at Jones. It would be his decision. He finished his coffee and said, "It's okay with me, Larry. You can come along. It's jus' that I think maybe your pa is gettin' too goddam worried about somethin' it'll settle itself if we leave it alone. The hills ain't crawlin' with redskins, exceptin' those too scared to come out. They're pretty sure their life isn't worth a hoot if they show up around a town, or even in their own fields. Maybe they're right. Like Bill says, both sides are scared, and scared men sometimes do things they're sorry about later on."

"Well, Frank, don't you reckon we oughta bring Snake in?" Bateman asked.

"Sure, Lee, I think we should bring 'im in, but only so's he won't get himself or anybody else shot or killed. I like the ol' geezer, an' I don't think for a minute he's plannin' to do nothin' more than talk an' eat an' then talk some more. I wish Barnett would of come along, though. I think Snake would of listened to another full-blood quicker'n some others."

"Micksie Barnett?" Sampson asked.

"Yeah, you prob'ly know 'im, Bill. Jack said he wouldn't mind 'im ridin' out with us."

"Micksie's a good man," said Bill Carr. "He's an old friend of the Chief. Maybe he could talk 'im into comin' in peaceable."

"But he won't go?" asked Markey.

"Nope. Says we've got no proof that Chitto was at Hickory Ground durin' the shootin'. Jack told 'im we would have a warrant, but that didn't cut no ice."

"Maybe *he* ought t' cool off in jail for a while!" young Markey suggested heatedly.

"An' then again, maybe he's right," Carr interjected softly. "You never saw ol' Crazy Snake at Hickory, did you, Frank?"

"Nope, not on Wednesday last. An' personally, I don't think he was there. If he was, he'd 've tried to talk things over instead of shoot it out. But it don't matter much one way or t' other now. Our job is t' stop things from gettin' worse, an' they damn well could. Barnett said he would get Foxie Harjochee to go with 'im to Harjo's, an' maybe they could find out what the ol' boy's up to, if anything. Jack don't want to wait that long, though. Foxie's prob'ly off fishin' somewhere."

"Hell, they're both his friends anyway!" Markey protested. "We wouldn't know any more than we do right now if they stayed with him all week!"

"I think Larry's right about that," Sampson agreed, adding, "Seems to me you boys better do what Jack

says and prevent more trouble. With Snake in jail, things'll quiet down in a hurry."

"Don't make me no nevermind," Bateman yawned, showing broken, discolored teeth. He stood and stretched. "But God Almighty, let's do *some*thin'! If I sit on my ass any longer, hit'll go t' sleep an' me with it."

"Sure, let's move," Markey urged. "I could of gone with Center an' been halfway to Hickory by now."

"Might still catch 'em, son," Carr suggested gently.

"Okay, let's go," Jones interrupted, picking up his rifle and glancing toward the window. "I see Ed Baum in a wagonfull of possemen. He's goin' with us unless he's changed 'is mind. Say, Larry, your ol' man deputize you proper?"

"Yep, been a legal deputy almost two years. Be two years next month."

"That's right," Jones nodded. "I recollect Jack tellin' me some time ago."

Bateman and Carr, each of whom had served often as deputy sheriff or deputy marshal, also wore six-shooters and silver badges. In addition, each carried a high-powered rifle and a box of ammunition.

"You sure you don't wanna ride out with us, Sam?" Jones asked the liveryman.

"No siree. You fellas can do fine without me. But I'll still rent you that three-seater if you want it. It's even got imitation leather trim and red cushions, the latest thing for chasing Indians in comfort and style. You can leave your horses here, of course."

"Beats eatin' dust. I'm for it," Jones replied, ignoring the sarcasm. The others quickly agreed. With Jones in the lead, it would be they who would choke in dust.

"One other thing," Jones remarked half-apologetically. "I promised Carl Bright he could come along. He won't be any help, but it might be a good idea to have a impartial witness." They all knew the banker's do-noth-

ing son, who drank too much, but nobody objected to his coming.

Outside they climbed into the hack, Jones and Carr up front, Then they waited for Sampson to bring the horse around.

"Jus' fer the record, Frank," Bill Carr asked in a low voice, "what's Crazy Snake charged with that Jack would make out the warrant?"

"Incitin' to riot an' disregardin' the laws of the state of Oklahoma," came the reply. The two men exchanged glances, but said nothing more.

A wagonload of men rumbled by, and there were loud calls back and forth.

"Come on, you crazy bastards, let's go huntin'!"

"We'll bring you a few scalps!"

"An' maybe a squaw or two!"

The men in the wagon whooped and developed the squaw theme as Ed Baum jumped off and strode toward the men at Sampson's.

"Howdy, Ed," Jones called to him. "Thought you might've decided to go with that bunch an' lift some Injun hair."

"Not a chance," the man replied dryly. "They've got to get a lot of tomfoolery out of their system, but Jess Beatty's with them, so I'm not too worried. He switched over from Center's troops in order to keep things within bounds. Anyhow, I planned to go with you."

"I guess you didn't say anything to them about us pickin' up Snake."

"Not a chance. They're just going to ride the roads looking for all the Snakes they can find. No, I'm with you boys."

Baum, who carried a .30-.30 Winchester, swung himself into the wagon. Light on his feet for a big man, he handled the rifle like a pistol. He was new in the Creek country, having come from Fort Smith less than two years before. His easy-going manner, and willingness to pitch in and help a neighbor had quickly won him

friends. He had even been Checotah city marshal for almost a year, and there were many who said the town was better for his being there.

"Mr. Jones, where we gonna pick up Bright?" Markey asked.

"I told 'im we'd stop by the house, but that looks like Bright comin' now. Guess he thought we'd left 'im."

Traffic along Front Street had thinned to a few wagons and pedestrians, and the man Jones pointed out sauntered down the middle of the street, his unbuttoned overcoat and plain muffler flapping in the breeze. He waved when he saw them looking at him. When he was still half a block away, they could hear him shouting, but the words were carried off by the wind that tugged at his coat and sent dust devils swirling through town.

Squinting into the sun and grinning amiably as he approached, Bright called again.

"Howdy, gents! Figured you might get a late start, so I thought I'd save you detouring by my place."

They greeted him without enthusiasm, and Carr merely nodded. Carl Bright was a part of social life in Checotah mainly because his father was respected throughout the county. He was one of those people who cannot actually *do* anything. He was pleasant enough, but had become known as a perpetual spectator, never a participant.

Bright raised his quite considerable and flabby bulk into the third seat behind the sherrif's son, as Sampson appeared from an alley leading an aging bay.

Jones turned and asked, "You ain't packin' a gun, are you, Carl?"

"No sir, not me!" the big fellow laughed. "Heck, I just come to see the fun. Ain't every day I get a box seat for a show like this!"

Jones scowled slightly, then picking up the reins, he spoke to the horse Sampson had hitched up and slowly pivoted the hack.

"Can't you borrow a rifle somewhere?" Markey asked in an astonished tone. "I've got an old .25-.20 still shoots pretty good."

"Lord, I got m' own shootin' iron," Bright snorted cheerfully. "But I ain't been deputized an' don't want t' be. I'm an observer—ain't that what you said, Frank?"

"That's right," Jones confirmed. "Carl's along for the ride, nothin' more. Guess we're all set, Ben. Be seein' you."

Sampson placed a hand on the front seat as though to hold them for a moment.

"Take it easy, boys," he said. "Them redskins'll scalp you if you ain't careful! Sorry I haven't got a better horse for you."

There was a smile on his broad, homely face, but there was something else in his voice. Ben Sampson had lived in the Creek country two decades and had seen the Snakes stir up quarrels between Indians and whites every few years. It never lasted long, thanks to cool heads among elected tribal leaders and the sensible supervision of the Commissioner to the Five Civilized Tribes and his representative at Union Agency. But times were changing, and there was mounting evidence that both the younger generation and the disillusioned conservatives were turning toward more radical leadership.

The hostler watched the hack roll away and turn west past the bank building. The dust trail roiled briefly in the morning sun before the restless wind whisked it away down the nearly deserted street. Sampson scarcely noticed a second carriage with two men enter town from the north and pull up at the Palace. He started to return to his empty stable, thought better of it, and ambled over to Russell's Cafe.

Enter The Indian Service

The men approaching the Palace Hotel that same Saturday morning were Dickson H. Bynum, Secretary

and Chief Clerk to the Commission to the Five Civilized Tribes, and J. Carter Dobbs, newly appointed Superintendent of Five Tribes District Agents. They were dressed in business suits and top coats, and wore wide-brimmed gray Stetsons. Bynum paused while Dobbs tied the horse. Then they went up the wide steps to the broad veranda. Bynum entered first, stooping slightly to clear the door, and strode directly toward the reservation desk. Then, seeing a man rise from a huge brown leather easy chair across the room, he turned to meet him.

"Hello, Fred," the tall man smiled, removing his hat. His voice was a surprising tenor, and he spoke in short, clipped phrases. A slight initial lisp quickly disappeared during conversation. "Haven't theen you in a month o' Thundayth."

They shook hands warmly as Dobbs, a short, heavy-set man of about forty, approached.

"Good to see you, Dix. Mr. Dobbs, I didn't expect to see you again so soon."

The two shook hands, and Dobbs winced under Cook's hearty grasp.

Bynum said, "You two know each other? Didn't realize you were already acquainted."

"We met in Muskogee," the Superintendent explained. "Two or three weeks ago, wasn't it, Mr. Cook?"

"Yes, that's right," Fred Cook replied, remembering the limp hand and portly figure. He dropped a cigar butt into a brass spittoon and smoothed his flourishing black moustache. Winking up at Bynum, he remarked, "Y' know, Dickson, I sure hope you an' me can find Mr. Dobbs some bushwackin' redskins. Can't have 'im comin' clear out here for nothin'." Cook, Indian Agent for the Checotah district, recalled that Dobbs had come to Oklahoma from the East in some kind of political payoff. Dobbs was a decent enough man, but he knew little about Indians and nothing about the Five Tribes.

"Well," Bynum replied with a smile, "from what I hear,

we shouldn't have to look far." He glanced at a large watch secured by a gold chain, then asked seriously, "Can we leave right away?"

"Certainly. If you want to get rollin', let's do it." The agent, a tanned, athletic man of slight build, picked up a leather Mackinaw and put it on. Bynum rested a hand on his shoulder.

"Thanks for coming. I know you have plenty of other things to do. And I would like to get started. No telling what might happen next. I'm anxious to find out how serious this is, whether some sort of action on our part is in order." He turned to the superintendent. "All set?"

"Yes indeed, any time you are."

Minutes later, they left town by the west road. No one noticed the tracks of another carriage, still discernible despite the erasing breezes that sifted sand across the road and made the day seem chillier than it actually was.

"What do you expect to find, Dix?" Cook asked presently.

"I don't know." The reply was slow in coming. Bynum's brow furrowed deeply toward a prominent, hawk-like nose that supported round, gold-rimmed spectacles. "There was supposed to have been gunfire at Hickory. I've heard that men were killed. Our job is to protect the Indians, to see that they aren't blamed for something they didn't do. I've spent so much time in Washington this past year that I feel out of touch." He glanced at the agent and knew he could always rely on his good judgment and sense of fair play.

"Tell me," Bynum continued, "is Hickory still used as a stomp ground? Or has it been taken over by people hiding from the law?"

"Oh, the Indians still use Hickory. It's a mighty important place, for both dances and tribal business. The dances ain't what they used to be, though." Cook paused reflectively. "Trouble is, a gang of outlaws uses the

premises more an' more as time goes by. The Indians have no love for 'em, but then they ain't exactly overjoyed with the laws Washington lays down for 'em either. There've been protests from a few Snakes, but the bad apples amongst the Negroes have stayed out of any trouble with the Indians. They'd hate to lose their campin' privileges."

"You been out to Hickory lately?"

"Yep. Two or three weeks ago, Dana Kelsey and I stopped by, an' I was there a time or two this winter. You remember last summer the Commissioner himself came clear from Washington to look into the ruckus we were having then? Well, he found everything peaceable enough. I know Kelsey an' him wired Washington that there was nothin' to the stories goin' 'round. Why, we even had the Adjutant General here to see if state troops should be called out!"

"I remember. He decided against it."

"And he was right! The Indians weren't causin' any trouble at all. If anything had got out of line, their own police would have straightened things out in short order."

"Where are the Indian police now?" Bynum asked slowly. "Why haven't they thrown the criminal element out of Hickory? Are they afraid of them?"

"No, I don't think they're afraid. They haven't got but a few officers, an' they prob'ly haven't been provoked enough. Then, too, they may be a little bit sympathetic, although most Creeks don't want anything to do with state Negroes. They keep 'em out of dances and ceremonies, same as they keep out whiskey peddlers and other undesirable white men. Between special occasions, I guess maybe they don't care if someone 'on the scout' camps at the Stomp Ground so long's they don't cause any trouble."

Superintendent Dobbs leaned forward from the rear seat.

"Mr. Cook, if what you say is true, it makes me won-

der why that fight took place at all last week. Who were the officers shooting at?"

"Mostly freedmen, I suppose, although there could've been Indians annoyin' 'em for all anybody knows. People in Checotah believe Crazy Snake was there an' got away."

"I doubt that," Bynum stated with emphasis. "I mean, that Harjo was there. That's one reason the Commissioner wanted me to come out here. It's important that we establish a few facts. They say men were killed here, yet no one has seen a body, except for that old gentleman, Fowler. Did anyone even see an Indian? I rather doubt that too. Maybe we can find out something today."

The men rode in silence for several miles, swinging southwest of Hickory in order to avail themselves of a reasonably good road. Linging juncoes and an occasional cardinal flitted ahead of them, and once a marsh hawk skimmed low over a corn stubble field, its broad wings a very light gray in the flat midday sun. A wintry color, thought Cook. He yawned and stretched as they passed a small orchard where apple trees were in bud and peaches were prematurely forming on a few trees on a southeast slope. They saw farms of both Indians and whites, and all was quiet.

"Don't look like there's any Indian war on here, does it, Dickson?" the agent remarked.

"No, but I'll wager they've seen a posse or two."

Bynum had noticed tracks where a large group of horsemen had left the road and gone through a gap in a "bobwire" fence.

"Maybe we should stop and talk with some of these farm people," suggested J. Carter Dobbs. "They might be able to tell us a good deal about what happened at Hickory, assuming it's close by."

Agent Cook said it was about twelve more miles, and Bynum unbent his long legs, shifted his weight on the red upholstery, and wiped the dust from his spectacles with a white handkerchief. "Let's go on a little farther," he said.

As they neared Hickory Ground, there were indications that all was not well. The few people they saw were standing in groups, holding half-aimed weapons and staring suspiciously at the men in the surrey. Many farms appeared abandoned, and no women or children were seen anywhere.

At the actual site, the three men left the carriage and searched for clues, evidence of the number of persons involved, how many had been wounded or killed, the amount of ammunition expended. But they found almost nothing.

"Dammit, Fred, I haven't found a single exploded shell, not a trace of blood, not a sign of a fresh grave. Have you seen anything?" Bynum felt helpless. Surely there must be some truth to the stories about a gunfight.

"No, except the meeting house looks kind of shot up."

"Here's something!"

The excited shout came from the creek bed that angled south from the camp. The superintendent was laboriously climbing a slight incline, mopping his glistening face and puffing mightily.

"I think I've found a dead man!" he exclaimed as he sat down heavily on a blown-down cottonwood trunk. When he could catch his breath, he added, "By the creek . . . I saw fresh dirt covered with a lot of leaves . . . I kicked at it . . . and I saw a man's coat." He shivered involuntarily.

"Come on, let's take a look!" Bynum had already broken into a gallop, his long legs easily carrying him over holes and fallen branches that lay in his path. Agent Cook was close behind.

When Dobbs caught up, he saw that his suspicions were well founded. He had, indeed, stumbled upon a shallow grave in a clump of willows along Coal Creek.

"Is it what I thought?" he asked unnecessarily, almost eagerly.

"It's a man all right," Bynum answered, pushing leaves aside. "Colored fellow. Let's roll him out of here,

Fred. We can thee if he wath shot." Except for the lisp, Bynum was calm and businesslike.

They each took an arm and hauled the dead man out of his bed of gravel and wet leaves. He wore a frayed brown coat over well-worn overalls, and there were dark stains across his right side and back.

"Looks like he was hit, then turned around an' was hit again. Later on, they came back an' buried 'im where he fell." Fred Cook's voice was hushed as he examined the body. "Guess they had a fight here after all."

"Any idea who he is?" Bynum asked.

"No, never saw 'im before. Oughta look in 'is pockets, see if he has any identification."

They searched both coat and overall pockets, but found only a strand of wire, a few used nails, and a cigarette butt.

"We'll leave 'im here an' have someone come out an' bury 'im right," Cook decided. "May never find out who he is. Don't see a gun layin' around, do you, Mr. Dobbs?"

The superintendent had been scratching through the leaves with a large branch. He shook his head.

"No, I don't. Maybe he didn't have one."

"More'n likely someone kep' it," the agent remarked.

"Well, we had best be getting back," Bynum announced after a glance at the sky. "Sun will be gone before long."

At Cook's suggestion, they re-covered the body with leaves and branches and half a dozen rocks. When it was done, they stood a moment in silence. Then, as the evening chill descended over the Creek country, they returned to the carriage and hastened to Checotah.

* * *

The sun was not perceptibly lower when a number of riders approached Hickory Ground. As they rode through the camp, one man emptied his rifle into the tents. Finding the place deserted, they wheeled and galloped away, but not before the man who had done the shooting threw dried leaves into several tents and

then touched a match to everything.

"You feelin' partic'lar mean today, Janes?" one of his cohorts asked.

"Aw shaddup. Who the hell cares."

In a few minutes, all that remained were a few stone chimneys, silent witnesses to all that had transpired there—the busk dances held in early summer while the corn was still green in the husk, the *pus ke ta ta* feasts that followed, the wild stickball games that the old people said were the little brothers of war, the earnest councils of elders alarmed about their association with renegade Negroes, the shooting on Thursday last, and now this.

The unburied man was a witness too, for no one saw him lying beneath the leaves and branches in the shadows near the creek. And above the smoldering remains, still clinging to the fading light of day, hung an American flag with no breeze to give it life or fan the coals below.

Saturday, March 27: Sa-Pa-Yeh

A hack bearing the words, "Sampson's Livery Stable," pulled up at the only store in Pierce, and six men jumped down to stretch their legs and ask the whereabouts of Chitto Harjo. Two Creek Indians, one the proprietor, were relaxing by a pot-bellied stove, when the door swung open and the possemen entered. The Indians eyed the firearms carried by the officers, and slowly got to their feet.

"Nothin' t' worry about," Deputy Marshal Jones reassured them. "We jus' wondered if you've seen Chitto Harjo around lately."

The storekeeper, a squat old man, shook his head.

"Him was no be it here."

"Well, maybe you can tell us if he's home or not."

The storekeeper noticed the silver badge and seemed hesitant. Then he asked, "Why for you want it him? Chitto, he was be get it much trouble?"

"No. We jus' wanna make sure he stays out of trouble."

You know where he's at? Better tell me if you do."

His manner was not threatening, but there was no doubt that he meant business.

"Him was be at Chotch Harjo's place way off river close by."

"Him an' who else?"

"Frien's. Forty, maybe fifty. Mens is talk it much. No trouble," the man added quickly.

"I hope you're right."

The deputy marshal strode from the building, saying, "Let's go, boys! Sounds like the pot's brewin' all right. I know where Chotch Harjo lives. South of here, not more'n two, three miles at the most."

Minutes later, as they neared a bend in the North Fork of the Canadian River, which the Creeks call Oktahuche, they caught sight of an Indian running across the road, some one hundred yards ahead. Jones ordered his men to hold their fire, then urged the horse to a fast pace and quickly overtook the fleeing figure.

"Stop, or I'll shoot!" Jones shouted, although he held the reins in both hands.

The Indian glanced back over his shoulder and promptly surrendered, holding his hands high above his head and repeating in English, "Don't shoot! Please don't shoot!"

The carriage lurched to a stop and the men jumped out, leveling six-shooters and rifles at the trembling captive.

"I know this fella," said Jones, peering intently at a terrified young man of about twenty-one or twenty-two. "Name's Sa-Pa-Yeh. Dances a lot at powwows they let white folks in at." He spoke quietly to his prisoner.

"Sa-Pa-Yeh, where is Chitto Harjo? Is he . . ."

Suddenly, an Indian burst from the brush not thirty feet away. As he dashed across a broad dry wash toward the river, Lee Bateman rammed a cartridge home and snapped a shot over the man's head. It only made him run faster, and then Jones, Carr, and young Markey all

fired. The Indian fell, rolled into a ditch, and did not rise.

"Tie this one up, Ed," Jones directed Baum. "Carl, you stay here an' watch 'im. Better keep more or less out of sight, though." He ran to where the Indian had fallen.

"Hey, Marshal," Markey yelled, "he's gone!"

"There's a little blood on the leaves, but he sure 'nuff ain't here," Carr said, drying his forehead with an arm.

Quickly the five men spread out and entered a thicket along the edge of the road. Hastily they kicked through a tangle of honeysuckle and wild grape vines draped over a decaying rail fence. The man was not there.

"Son of a bitch," Jones cursed softly. "He'll warn Snake an' his whole goddam gang. No use lookin' along the river. I doubt if he can go far, but we'd never find 'im." He called back to the captive, "Sa-Pa-Yeh, who was that guy?"

"Charlie Coker," was the prompt reply.

"Coker's a Seminole," Carr muttered. "I know 'im. Did look like 'im too, come t' think of it."

They returned to the rig, and Jones spoke again to the Indian.

"What's Coker doin' up here?"

"He visits frien's. He comes often."

"Look, is Chitto Harjo at Chotch Harjo's place?"

"No, he's gone home. Ever'body gone home."

"How long ago?"

"Hour maybe, maybe two."

"All right," Jones commanded, "let's go! Bring the Indian. We'll head for Snake's farm. Guess we should've gone there in the first place."

Lee Bateman took the reins and urged the old bay into an ambling gallop. Ten minutes later, they neared an extensively wooded area, and Jones leaned toward Bateman, saying, "No use tryin' t' ride up any closer, Lee."

Bateman halted the carriage a few yards off the road, and they all got down.

"Carl, you watch Sa-Pa-Yeh," Jones directed in a hushed voice. "Now, there may be trouble, so keep your head down. I think we beat Coker, but someone else might've spotted us an' got here first."

"They's either a-settin' down to supper or they's waitin' fer us," Bateman remarked. "Mighty quiet, 'less he's alone. But by damn, he's sure to have a bunch of 'is Injun frien's with 'im."

"The way him and some others was buyin' up meat at Henry, they must've been gittin' ready fer a big shindig of some sort," Carr added. "An' we know there was quite a gatherin' over to th' river. Reckon most of 'em is here now."

"Well, if we're gonna do anything," said Jones, "it'll have to be soon."

Already, a copper sun was scorching the hills to the west. In another hour it would be dark.

Dead Deputies

The approach was made from the south up through a densely wooded ravine. Baum and Markey were in the lead, as the five officers circled along the edge of the timber. When they were opposite the cabin, they flattened out on their bellies to survey the scene before crawling under a barbed wire fence and on through matted sumac and ivy, the last cover they would have.

"You scared any, Lee?" Baum asked without turning his head.

"Guess maybe I am a little. Poison ivy all over the place." Still, there was something made a man uneasy about moving up on somebody you couldn't see. Especially when he might be seeing you through the sights of a Winchester.

"Could be someone gits hurt if they 'uz t' make a fight of it," he added, clucking his tongue. His eyes restlessly

searched the cabin and outbuildings as he slowly worked the wad in his mouth.

"Strikes me we might be a bit outnumbered," Carr commented. "Sure hope they're right busy rasselin' up grub."

"They're prob'ly talkin' about the ol' man's last visit to Washington," Jones said, smiling at young Markey. "He jus' got back a couple weeks ago, y' know."

Markey smiled wanly, and Jones touched his arm. "The poor ol' guy prob'ly thinks maybe President Taft'll do right by him. If he's home, we can ask 'im what's new with the Great White Father, eh Larry?"

"Hey! Would y' look at all them saddles!" Bateman interrupted in a strained voice. "A pile of 'em on the porch, an' ponies in the back pasture. He's got company, all right!"

"Come on, Larry, let's get through this fence," Jones grunted as he slid forward and rolled under. He laughed softly when Bateman's pants caught and tore.

"First casualty," grinned Baum. "Looks like you got winged going the wrong way, Lee."

"If things git right hot, I might could use th' draft," Bateman replied as he squirmed free of the wire spines.

Once inside the fence, the deputies moved ahead five or ten yards, then stopped dead in their tracks. Several men with rifles were running from the Harjo cabin toward the woods. Baum, who was slightly ahead of the others, shouted for the men to halt and then sent two or three shots into the trees over their heads. But the Indians could not know that the shots were a warning, and the moment they reached adequate cover the battle was on.

North of the cabin, a marksman fired from behind a hogwire fence. Ed Baum hesitated, stiffening unnaturally. Then his rifle slipped from relaxing fingers, and without a word he slumped to the ground and did not move.

"Lee, Ed's been shot!" cried Markey. Unmindful of the danger to himself, he ran to Baum's side.

"For Chrissake, boy, git down!" shouted Bateman from behind a log, where he had flung himself after the first hail of lead.

"Look out, Larry! Get down!" Jones yelled.

But it was too late. The sniper behind the fence fired again, and Markey's youthful frame straightened, staggered a step, and toppled over the motionless body on the ground.

"You God damned son of a bitch!" screamed Bateman, ejecting live shells in his frenzied haste to shoot at the man concealed behind the fence.

On the left side of the clearing, Jones and Carr lay prone, protected by a large outcropping of rock. All three concentrated their fire upon the sharpshooter, whom they could see briefly as he exposed his head and shoulders to take quick aim and fire. After two or three shots, he would duck down and move to a new position along the fence. Finally he became silent and was not seen again.

The deputies then shifted their position to return the fire of Snakes back in the woods beyond Chitto Harjo's barnyard. The Indians were well screened by a dense grove of persimmon and wild plum, and they had the added advantage of the afterglow of the setting sun at their backs. As the sky darkened, the shooting became sporadic. The deputies remained pinned down to a small area, however, because they had no opportunity to retreat or to seek cover of the woods as long as there remained sufficient light for them to be seen.

After an eerie quiet had descended and persisted about ten minutes, Frank Jones raised his hat on the barrel of his rifle to see what attention it would attract. Bullets ricocheted off the low rocks shielding him, convincing the three men that they had better stay put. Seconds later, the beleaguered officers saw two figures leave the house and dash toward the timber. All three officers fired, and one of the two, who seemed an older man, stopped and bent over momentarily, then thrust himself awkwardly into the dark fringe of blackjacks and brush.

"We got that one!" Bateman declared with obvious satisfaction, and the others agreed.

"Did he look like a older guy to you?" Jones asked.

"Yeah," Carr replied. "I thought so, an' if you're thinkin' he might be Chitto Harjo, you ain't alone. I'll give you odds it was him all right. Say, can you tell if Larry's alive?"

"He don't answer, an' he hasn't moved," Jones replied. He turned to his left and called to Bateman who was some ten yards beyond and behind Carr.

"Lee, you all right?"

"Yeah, I'm all right," came the response. "Outa shells, though," he added grimly to himself.

Jones and Carr were almost out of ammunition, and it was now too dark to make out the dusky targets lurking in the trees. It was evident that, since no help could be expected, the officers could easily be surrounded and killed or captured during the night, unless they could successfully withdraw from their exposed location.

It was quiet now behind Chitto Harjo's cabin. The wind had died, and lengthening shadows merged with other shadows, concealing the movements of men hiding and watching. The hillock formed by the bodies of Baum and Markey was fast blending into the tide of blackness that seemed to flow up from all around. Jones and his comrades wondered if they could still be seen. Then, a wave of moonless night enveloped them like a velvet cloak, and they knew they had a chance.

"Ain't any sense in us stayin' here an' gittin' kilt," Bateman whispered loudly. "Let's git th' hell outa here!"

"I'm with you," Jones replied.

The three men glided forward and paused by the still forms.

"Ed's dead," Jones said quietly.

"So's the kid," breathed Bateman.

Each lifted up one of the bodies. Then, they all made their way back to the barbed wire fence. Carr helped them through, and they slowly followed the ghostly

locust posts to the shelter of the surrounding woods.

"Let's stop a minute," Jones said, breathing heavily. "Ed's awful heavy. Let's just set a spell an' listen."

For several minutes they rested and listened. The only sound was the distant cacophony of the backwoods, the faint hum that follows dusk and precedes the waking hours of the night creatures. The air, oppressive and still, seemed to hang like heavy stage curtains, misty and confining.

Jones bent low over Baum, then rose slowly and stepped to where Carr and Bateman stared into the inky nothingness.

"Ed just died." The deputy marshal's voice sounded small and tired. "I thought he was dead before, but he breathed kinda heavy when I put 'im down jus' now. I don't think he was conscious. I spoke to 'im, but he just took one more breath an' . . . that's all."

"My God," murmured Bateman. "That stinkin' son of a bitch." He spoke in a measured monotone, as though every word drove deeper a blade of fervent hatred. "I'll find that man."

"Know who it was, Lee?" Carr asked gently.

"I think so. Big fella, kinda stooped, round-shouldered. Wore a bandana 'round 'is neck."

"That might be Sampson Brown!" Carr said quickly. "I remember that bandana too, now that you mention it."

Bateman, not hearing, continued.

"Yep, I think I know who t' look fer. He wore that same black hat I've seen 'im wear before, perfec'ly round on top. An' he's always got that red bandana 'round 'is neck."

"We better be movin'," Jones said. He got up, groping from tree to tree to where Baum lay.

"Let me he'p you, Frank, Carr offered. He found the dead man and hoisted him to his broad, solid shoulders. Bateman again carried Markey, as they made their way down the east slope of the draw. When finally they

emerged from the woods into the pale light of a rising full moon, they found themselves in a field near the road. Soon they approached the clearing, where a long time ago they had left Carl Bright and Sa-Pa-Yeh.

"Halt! . . . Shpeak up or I shtart shootin'!"

The thick voice was Bright's, and Jones answered quickly.

"Take it easy, Carl, we're back."

"What's left of us," Bateman added bitterly.

"Wha' th' hell you totin'? An' where's Ed n' Junior? Y'know, a coupla times I thought I heard some shootin'. You boys kill ol' Crazy Shnake?"

He waved a bottle as he approached, peering closely to see who was there and what they carried.

"Hey, Frank, ishat Crazy Shnake? Didja shoot th' . . ."

"Shut up!" Jones snapped, snatching the bottle and flinging it into the night. "Might have known." Then he added wearily, "Baum and Markey are dead."

"Huh? Wha—what?"

"I said they're dead, both of 'em."

"They're dead? . . . My frien's dead? . . . You jokin', Frank? Sure you are, you're jokin', ain't cha?"

"It's no joke, Carl. They're dead. Shot by Sampson Brown and a dozen others. We're lucky to get out alive."

The bodies were placed on the carriage floor while Bright watched, his dulled senses gradually comprehending, his eyes disbelieving. Suddenly, he snatched up a rifle and ran to the drooping beach where the observant Sa-Pa-Yeh huddled on the ground, aware that two officers had been slain in a fight at Chitto Harjo's cabin.

"I'll kill you, you yellow bastard!" Bright yelled hysterically, thrusting the gun barrel at the shadow before him. Then he squeezed the trigger.

"Don't shoot!" gasped the terrified Indian. "Please, I did not kill anybody!"

The empty rifle clicked again before Bateman seized it

and wrenched it away. Jones and Carr each grabbed an arm.

"Le'me go," the man raged, his eyes brimming with tears. "His goddam Shnakes murdered our boys, di'nt they? Let's kill 'im, he's jus' a pig, a stinkin', rotten pig. They all are! We oughta shlaughter 'im, cut 'im up . . . le'me go . . . damn you, Carr . . ."

The struggling man went limp under Jones' sharp right to the jaw. Without a word, Carr lifted Bright in his powerful arms and dumped him into the hack. Soon they were hurrying toward Pierce and the telephone.

Jack Markey

Sheriff Markey would return to Checotah on the evening train. He would walk the one block from the station to Front Street, cross over, and continue on for two more blocks to his office in the east wing of the McIntosh County courthouse alongside the county jail. There, Dickson Bynum and Fred Cook had been waiting for him since their return from Hickory. They and Superintendent Dobbs had gone to his home first, and when he wasn't there, they had put Dobbs on a train to Muskogee and gone over to Russell's Cafe for a bowl of chili. It was there that they learned of the posse sent to arrest Chitto Harjo. The news came as a shock.

"What did you say?" Bynum asked in complete disbelief.

"I said Frank Jones and a posse a dep'ties has gone to round up Crazy Snake and his war party," Joe Russell had repeated. "Ef you ast me, it's high time. It's gittin' so's a man cain't go out at night fer fear they'll massacre his fambly and burn his house afore he gits back. Why, I heerd Snake's been buyin' up 'nuff guns fer th' whole Creek Nation. Damn near got 'im at Hick'ry t'other day, but he's a slipp'ry devil, I'll tell you. Bet he don't git away from Frank Jones twicet, though."

"Wait a minute," Bynum interrupted.

"Jones has brought 'im in before, him an' others like 'im. He knows how to . . ."

"Hold on!" Bynum insisted as he noted the time by the big clock on the wall. "When did this posse leave town?"

"Oh, it was before my brother-in-law borrowed m' shotgun—he don't have a gun shoots wo'th two cents. That was before lunch. Posse must of left 'bout eleven or so. Got a rig from Sampson."

"Eleven! And they aren't back yet?" Bynum looked at his own ornate timepiece and frowned, his large hooked nose exaggerating the intenseness of his expression. "It's almost eight!"

"No," Russell confirmed, "they ain't come back yet. Say, it do seem like they oughta be back by this time, don't it? Their women'll sure be put out, them traipsin' in late fer supper an' all. Say, you don't s'pose they run into some kinda trouble, do you? They had four, five men, so I . . ."

"Idiots!" Bynum snapped, as he slammed some coins on the counter. The muscles in his face flexed nervously, and his mouth closed in a thin, tight line.

"Oh, they was armed," Russell called after them. "But you might be right. Maybe they should of tooken more men."

"Thanks, Joe. Be seein' you." Fred Cook flung the words over his shoulder as he and Dickson Bynum hastened toward the courthouse.

Inside the sheriff's comfortably appointed office, District Agent Cook turned on the lights and settled down into a large rocker with a roll seat and embroidered cushion. He stroked his luxuriant moustache and idly leafed through copies of *Sturm's Oklahoma Magazine* and *The Saturday Evening Post* while Bynum studied a pocket notebook and rapidly drafted several paragraphs of a report to the Commissioner. Bynum had put away his notebook and was methodically preparing to smoke his pipe when Sheriff Markey entered

the building. The hallway clock had just struck nine, and Cook stood before the large bay window.

"Someone comin', Dix. Hope it's Jack."

"Me too. It's getting late."

Footsteps approached. Then, the door opened and Sheriff J. W. Markey entered. He was obviously surprised to find visitors.

"Well, what are you boys doin' here at this hour?" he asked with a friendly smile. "I see Fred once in a blue moon, but Mr. Bynum's not often down this way."

"Hello, Jack," Cook greeted him warmly. "Good to see you."

"Sheriff," Bynum said cordially.

They shook hands, and the sheriff removed his hip-length, sheep-lined jacket and hung it behind the door.

"Gettin' kinda chilly," he said, rubbing his hands briskly. "Mighty dark night since it started cloudin' up. Looks like it could rain or even snow. But you know how quick it can change this time of the year. Hope you haven't been waitin' long."

"We got in about suppertime," Cook told him. "Didn't know when you'd be back, but figured you wouldn't mind if we made ourselves to home."

"Shucks, no. You know you're welcome here. You too, Mr. Bynum. Be nice if you could come down more often."

"Thank you, Sheriff."

"You gents had dinner?"

"Yes," Bynum answered. "A couple hours ago."

"Well, I grabbed a bite in Tulsa before I left. That'll hold me for a while, so we might as well get down to what brings you here." He tossed an envelope of papers into a drawer of the huge roll-top desk. "No trouble, I hope."

"Nothing you're not aware of, I'm sure," Bynum said rather tartly. If Markey noticed, he didn't show it. Spreading his hands in a friendly gesture, he said, "If I can be of help, count me in, whatever it is."

"Sheriff," Bynum began somewhat formally, "we'd

like to talk with you about Crathy Thnake and the measures being taken to maintain law and order in this area. Please understand. We are not here to encroach upon your office in any way, but we do want to keep informed of all developments that concern Five Tribes Indians."

Cook shot a glance at the sheriff and found himself wishing Bynum hadn't plunged ahead quite so fast.

"Of course," Markey responded graciously. "Be happy to talk about it. But is this somethin' we can take up when there's more time, say first thing in the mornin'?" He paused, then continued. "Actually, I'm glad you came down, because I've been wantin' to talk with you about Ol' Snake. But I wonder if we can't put it off 'til t'morra. It's kind of a long story, an' I want to answer any questions you might have as best I can."

"No, Sheriff," Bynum said firmly. "We would like to talk with you now, if you don't mind."

Cook glanced at Markey again and noticed the uncomfortable smile form and vanish.

"Certainly," Markey acquiesced. "Won't you sit down, gentlemen?"

The two from the Indian Service seated themselves in the chairs indicated, and the Indian agent accepted a cigar from the humidor of five-cent Contracts the sheriff politely held toward him.

Cook had been in this office many times. Whenever he came to Checotah, he paid his respects to Jack Markey, just as he did to sheriffs in the other county seats of his district. He had learned long ago the value of a friendly relationship with local authorities. More than a few times, he had requested municipal or county enforcement officers to look into situations that he considered prejudicial to the best interests of the Indians under his jurisdiction. When Indians, themselves, were in trouble with other Indians, he reported the matter to tribal authorities or the lighthorse, but if whites were involved, he lost no time in seeking justice for the Creeks through peace officers and, if necessary, the courts.

Cook's reputation for firmness and fair dealing was

known throughout the Creek country, and Sheriff Markey liked and respected him. Indian agents had a job to do, and Markey figured you couldn't blame them for trying, even if sometimes they acted more like Indians than responsible citizens of a new and fast-growing state. The sheriff had never had any difficulty with Cook, but he was conscious that a faint distrust had developed between them. Men of lesser qualities would have shown open hostility long ago, unless one was successful in dominating the other where their jurisdictional authority overlapped.

"Thank you, I'll light my pipe," Bynum said, declining the proffered cigar. "Sheriff," he continued, "we drove out to Hickory Ground today, Fred and I and Carter Dobbth. You may not know Carter. He's the new Thuperintendent of Five Tribeth District Agents. Had to return to Muskogee on the afternoon train."

So that was it, thought the sheriff, clipping and lighting a cigar. They had come to squawk about the Hickory Ground fight. Might have known it. He smiled amiably, relieved that it was nothing more. The lisp and the high voice were faintly amusing.

"No, I haven't met him," he said. "But what brought you to Hickory, and what did you find there?" he went on, eager now to know specifically what bothered them, and wary about saying more until he learned more from them.

"Of course, we read about Frank Jones' posse," Bynum began. "*The Daily Oklahoman* and the *Oklahoma City Times* both carried the story, as you probably know. We heard that as many as fifteen Negroes and a white man were killed, and that Chitto Harjo was behind it all, if not actually present. There was supposed to have been quite a battle Thursday morning, with some four hundred rounds being fired."

He paused to light a huge straight-stemmed meerschauum. As the flame reached down into the bowl, his eyes slid toward Markey, who caught his glance and

nodded slightly. Blue smoke was drawn into the up-draft of the hanging library lamp, and it billowed over the green glass shade, obscuring the brass rim and the clusters of little red flowers that adorned it.

"Well, that's pretty much what happened," the sheriff replied in a matter-of-fact tone, as he placed a smoking stand near Cook. He settled again in the swivel chair and leaned back against the well-scuffed burlled walnut panelling.

"There was a helluva fight," he continued. "Frank Jones told me about twelve Snakes must of been killed, besides old Fowler, who was very foolish. We're damn lucky Frank, Center, Beatty, an' the rest got out of it with only some flesh wounds and broken bones. In fact, the way things are goin', I'd say we'll be lucky if we don't have worse trouble before long."

The sheriff's handsome handlebar moustache touched his nose as he pursed his mouth in a perturbed frown. Then, aiming his cigar at Bynum, his relaxed manner suddenly vanished, and he said with some feeling, "Your friend Crazy Snake is tryin' to whip up a reg'lar old-style Indian war, but damned if I'm gonna stand by and let 'im do it!"

He stopped, realizing he had said more than he had intended.

Bynum puffed thoughtfully, then asked quietly, "You recall our meeting in Eufaula Saturday morning, when you were catching the train to Tulsa?" Markey nodded, and Bynum went on.

"You remember I asked about the fight at Hickory and you said everything was quiet."

"Sure I remember," the sheriff answered slowly. "An' everything *was* quiet *then*. There wasn't any need for you fellas to get worried about the precious rights of the Indians. We'd been out to Hickory an' had the whole situation under control."

"You mean when Center went out the first time."

"Sure, he's my deputy. They got tough with 'im, and

he went back to Henry for more men. He had a job to do—a *law enforcement job*. And he needed help.”

“Sheriff, I understand there weren’t many Indians there. In any event, if the Indians acted improperly with Sheriff Center, shouldn’t you have let us know about it?”

“Why?” demanded the sheriff, brows bristling. “He was enforcing the law. ‘Thou shalt not steal’—isn’t that part of a peace officer’s job, recoverin’ stolen property an’ catchin’ the guilty parties? An’ don’t forget, he had a search warrant! An’ don’t for a minute think the Indians ain’t behind what’s goin’ on.”

Markey jerked a pocket watch from his checkered vest, scowled, and strode to a window.

“I’m not disputing Center’s authority or questioning his discharge of official duties,” Bynum softly assured. “As you say, he is your deputy, and he did what he should have done.”

“Well, out with it then! What in tarnation *are* you questioning? Obviously you aren’t satisfied with some-*thin’* I’ve done or haven’t done. What time do you have, Fred?”

“The time? Oh, let’s see . . . almost nine-thirty,” Bynum informed him. “Are we keeping you from an engagement?”

“No,” Markey answered quickly. “No, it’s just that I oughta be gettin’ back home. Mrs. Markey expected me an hour ago. Sorry, I’d better get on back. She worries. You know how women are. Let’s discuss this again t’morra.”

He was on his feet when the telephone rang, two longs and a short. He smiled, stopped crushing out his cigar, and hastened to pick up the instrument.

“That’s prob’ly her now . . . Hello,” he called. “Yes, this is Sheriff Markey. Hello! I can’t hear you . . . Who is this? . . . Frank? Hello, Frank Jones? Yes, yes, operator, this is Markey. Well, let me talk to ‘im! Hello. Frank? How did it go? . . .”

The smile changed to an expression of puzzlement mixed with mounting displeasure.

"Trouble you say? What kind of trouble? . . . What? I can't hear you! Damn it, man, speak up and tell me what happened!"

The sheriff's face turned ashen gray, and he allowed his big frame to slowly sink to the desk chair.

"Yes, I'm here . . . Did you say Larry, my son, is dead?" His voice had become barely audible, and the vein at his graying temple pulsed noticeably.

Bynum and Cook exchanged quick glances and quietly came to their feet. There was an agonizing silence as Sheriff Markey listened without expression, his hollowed eyes fiercely staring at nothing. Then he spoke again, his voice full of incredulity, pleading for some grounds for hope.

"Frank, are you absolutely sure? Maybe he needs a doctor. It's dark out there. Did you see 'im close?" His voice relaxed to a choked whisper. "Ed Baum too? My God . . . No, no, of course not. I don't blame you. You did what you could, I know that." He paused, then called loudly, "Get back here as soon as you can, Frank. We're goin' after that goddam Indian!"

Gently he placed the receiver on the hook and fixed a cold, steely gaze on Bynum.

"You heard. Larry and Ed Baum are both dead, murdered by your filthy, stinkin' Indian friends, your dirty Snakes an' that slimy bastard you think is so God Almighty noble. Well, let me tell you boys somethin'. I'm goin' after your hero, an' when I catch 'im, it'll save the taxpayers the cost of a trial!"

He spoke very quietly, then put on his coat. Bynum and Cook followed suit, and Cook rested his hand on Markeys' arm as they paused by the door.

"I'm sorry, Jack. More sorry'n I can tell you."

The sheriff nodded, his gloved hand hesitating on the doorknob.

"I just can't believe it. A voice comes over this here telephone, an' I'm s'posed t' believe that my son is dead. Killed by Indians! God in heaven, this is 1909. Did any-

body hear any shootin'? Did my wife, Larry's mother? She's been bakin' bread. How can I tell her? How can I tell her that they're bringin' back her boy—dead?"

"Come, Sheriff," Bynum said in a low voice. "We had better go. Maybe there's been some mistake . . ."

"No, there's no mistake. I sent a posse out to bring in your red brother, the one we call Snake." Markey spit out the word as his fist tightened over the knob. He looked straight at Bynum. "An' that's all he is. If I ever doubted it, I know now. Only a snake, a serpent with 'is belly in th' mud, would hide in th' woods an' shoot down a couple of fine men, an' one only a boy."

"Please, Sheriff . . ."

"You shut up, Mister Indian Commissioner! Or whatever you're called. Shut up an' listen to a man whose son has just been slaughtered by your goddam savages. How much of 'im d' you think is left? Can you see 'im lyin' in 'is own blood? Hell no, you can't! You're thinkin' it *couldn't* of been your precious Indians. It *must* of been somebody else, some gang of niggers maybe, or some men hidin' from the law. Is that what you're figgerin'? But not that fine ol' man, Crazy Snake. Why, that'd be ridiculous!"

The sheriff stopped and leaned against the door casing. His mouth was dry and he felt very tired. The cigar tasted bad, and he ground it out in an ashtray.

"No, Jack, we don't think that. Neither of us do," Cook said quietly. "You've got to believe that."

Markey sighed and opened the door.

"I'm sorry, Fred. You too, Bynum. Guess I'll go home."

The three stepped into the corridor. Then the sheriff mechanically turned out the lights and locked up. They left the building together and paused at the foot of the stone walk. The night was cold, and a mass of thick clouds rolled out of the west to spread across the bright face of the moon.

"Is there anything we can do?" asked Bynum.

"No," Markey replied dully. "Thank you, but there is nothing. Good night."

The men from the Indian Service watched the tall, despairing figure until it was lost in the shadows. Then they turned toward town.

Sunday, March 28: The Butcher's Wagon

Early Sunday morning, Frank Jones, Lee Bateman, and Bill Carr stopped their "Split Hickory" carriage at the white frame home of Sheriff Markey. The sheriff joined them, and without conversation, they drove to the Baum residence. About eight o'clock, Markey and his deputies and Ed Baum's father left Checotah accompanied by several horsemen.

There was little to say as they left town and followed the road to Pierce. There, they stopped at the general store where the covered bodies of Larry Markey and Ed Baum lay on heavy planks supported by wooden crates. Markey had been struck in the chest. An autopsy later showed that the steel bullet had cut through his heart. Baum had been hit in the forehead with a dumdum, a hollow bullet that mushrooms after impact.

The men stared at the remains, then paced restlessly, smoking and saying little. The room was stifling, although the floor was damp and cold, and chill drafts crept in around doors and windows. The McIntosh County sheriff led Baum out on the porch, where despondently they sat down on nail kegs. A raw breeze out of the northwest held promise of rain, even snow if the temperature dropped a degree or two.

"I'm sorry," Markey murmured sympathetically. "I'm so God damned sorry."

"It wasn't your fault, and it cost you just as much," Baum replied as he reached for a handkerchief. "It was so sudden," he added simply.

"I promise you, though," Markey continued grimly, "they'll pay for this. Crazy Snake and 'is cutthroat mob will be hunted and found. I promise you."

A heavy butcher's wagon came into sight, and the men in the store came out to watch it approach and creak to a

stop. The driver got down, seemed about to speak, but found no words, and went inside. Some of the men looked in the wagon, noting the thick mat of straw. The stunned fathers of the dead men stared vacantly at the wooded hills.

"Maybe we best get started," Bill Carr suggested softly. After a moment, Markey nodded and whispered hoarsely, "I guess so."

Someone held the door open, while others carried the lifeless forms out of the building and laid them in the wagon box. The driver smeared some axle grease behind the wheels, then, with a word to his team, started off.

Two hours later, under a gray and cloudy sky, the solemn procession moved down Front Street in Checotah. Curious boys followed at a respectful distance, trying to catch a glimpse inside. Almost every able-bodied adult within a radius of ten miles had come to stand in numb silence, seeing in this tragic drama Crazy Snake's brutal retort to the people's plea for civilized law and decency. For them, Indian war was no longer a threatened danger. It was a bone-chilling reality.

Men watching the drab wagon knew they would oil their weapons and ride with Jack Markey to track down the murderous Snakes before there were more killings. Womenfolk heard the iron-rimmed wheels grind hard against the sun-baked ruts and knew they would live behind locked doors until law had been restored to the Creek country. Spring planting would be delayed as long as death lurked in the fields, and normal business operations of several farm communities would all but cease while armed posses patrolled the back roads and sought to crush any Snake attempts to organize or increase their fighting capabilities. The posses would seek Sampson Brown, but the prime target would be Crazy Snake—dead or alive.

Sunday, March 28: The Search for Evidence

While Checotah prepared to bury young Markey, and citizens from Fort Smith set out to help Baum bring his son home to rest, several men who had gone to Pierce earlier

in the day visited the scene of the fight at Chitto Harjo's farm. The buggy stopped where Frank Jones indicated they had tied the Indian the night before.

"Right here's where we left Carl Bright an' Sa-Pa-Yeh. Then we went ahead on foot up th' draw."

He pointed with a short buggy whip, and the men stepped to the ground, conscious that they followed in the footsteps of men who had proceeded from this place to their death only hours earlier.

"You don't reckon any o' them Indians is still in the bresh, do you?" one man asked, squinting toward the woods where the three deputies had taken cover the night before.

"No," Jones replied. "I think they're more likely back in the hills. We'd best be ready, though. They can pick us off from the house or the outbuildings once we get in range."

They stayed within the cover of the trees until they were no more than fifty yards from the small one-story house. Then, Jones and Bateman dashed across the open space and up to the door, while men with rifles covered them from the woods.

"Open up in there!" Jones called as he pounded loudly.

"Chitto Harjo, this is Jones. Are you in there?"

There was no response, and the two men prepared to open the door or smash it down.

"Ready, Lee?"

"Yuh." He smacked his tongue and held his rifle ready.

Jones found the door unlocked, and they cautiously stepped inside. A moment later they reappeared, waving for the rest to join them.

"It's empty," Jones called. "Look around the barn an' smokehouse. Then we'll see what we can find behind that damned fence."

"Best watch fer timber rattlers too," Bateman warned. "Thet warm sun'll draw 'em out so's they c'n lay on the rocks."

"Someone comin'!" Bill Carr called from the west side of the smokehouse.

Approaching across the clearing to the south were two men, one tall and smooth-shaven, the other of medium height with a dark moustache. Bynum and Cook were quickly recognized, and as soon as they had joined the others, Jones described what had happened.

"Somebody behind that fence shot Ed and Larry an' then kep' Lee and me pinned down 'til it got too dark to see. We're pretty sure it was Sampson Brown. I didn't tell that to Jack, but Lee an' me got to thinkin', an' we figure it was him all right. I think we winged 'im because he kep' up a steady fire from diff'rent positions in this here tall grass. Then all of a sudden he quit shootin'. I think he was hit."

"I seen 'im fall oncet 'bout thirty, forty feet t' th' right o' th' gate," Bateman stated as the group reached the fence. "Hell, here's 'is hat!"

Lee picked up a dusty, black, high-crowned hat, and Carr, searching on hands and knees, shouted, "Here's 'is gun! Blood on th' grass too. He was hit all right." He held up an empty Colt .44 and indicated where apparently the man had fallen.

"Must of laid here quite a spell," Cook commented.

"Anybody reco'nize the hat or the gun?" asked Jones.

"That's Sam Brown's hat," said one of the men. "Ain't no doubt about it. He wore it when we was fishin' las' week. Hey, look—they's a hook still a-stickin' in hit! I ain't seen th' gun before, though."

"Well, he must've had two guns," remarked Bateman. "He was usin' a high-po'er rifle when the shootin' commenced. Even then, he used whatever shells he could git, 'cause Ed an' Markey was hit with diff'rent kinds."

They studied the fence area, then walked a hundred yards east to the woods where the Indians had taken refuge.

"Here's where most of 'em were," Jones told them. "I hardly ever did see anyone once they got back here in the brush. When it started to get dark, you could see the flash of their rifles."

"Say, Frank," Bateman said quickly, "I jus' remem-

bered somethin'. You know when Baum fired them shots in th' air? Well, did you see a man drop to th' ground an' git up an' run?"

"No. When Ed fired, the Snakes opened up, an' I hit th' dirt. Bill, you see anything like what Lee says?"

"Yessir, I sure did, now that you mention it!" Carr rubbed his unshaven chin, thought a moment, then snapped his fingers. "I recollect a man fallin' an' gittin' up, an' I thought I knew 'im. I still think it was him—Charlie Coker!"

"Coker! But that's who we hit down by the river," Jones objected.

"Couldn't of hit 'im bad though, or he wouldn't of gave us th' slip. I'll bet he was with Brown an' tried to run when Baum fired, but he was already nicked an' he fell."

"Then Baum didn't hit him?" asked Bynum.

"It'd surprise me. Ed was up ahead of us, an' I saw 'im fire 'way up over their heads. It was a warning. Then they opened up, an' I'm willin' t' bet cash money he never got off another shot. See anything over there, Lee?" he called to Bateman, who was examining the ground where they had seen the wounded Seminole fall.

"Nope. Nary a sign."

They finished their survey and turned back toward the Harjo cabin. Bynum, who had been taking notes from time to time, asked to be shown where the two deputies had fallen and where the other three had lain during the shooting. He paced off a few distances, made some additional notations and a rough plat of the premises, and he and Cook made their own check of the house.

As they all walked back to the carriages, Bynum asked if much shooting had come from the house. Jones and Carr thought not, and Bateman said he heard only a few shots from that direction.

"I did find two .38 caliber shells near the door," Bynum told them. "But, of course, that doesn't mean Chitto Harjo fired them. Didn't I hear that he has a son living with him?"

"Yes," answered Frank Jones, "Legus Jones. He's about

eighteen or twenty. Y' know, Chitto calls himself 'Wilson Jones' whenever he comes to town. The boy, Legus Jones, also goes by the name of 'Louis Harjo,' or sometimes 'Louis Jones.'"

"I see. Each has an English name. Well, tell me, does the boy speak English?"

"Yeah, pretty well, considerin'. I know 'im, he's a bright kid."

"Well, I would like to talk with him, and I'm sure you would too. In fact, I would appreciate your cooperation in holding joint interviews with anyone you might locate who was here last night or who has any first-hand knowledge of what happened. I have to submit a report to the Commissioner, and on something as serious as this, he's got to keep Washington informed."

"Sure," Jones nodded. "I'll be glad to help in any way I can. We'll be talkin' with a lot of Indians durin' the next few days—if we can find 'em, that is—an' as far as I'm concerned, you an' Fred are welcome to be there an' ask questions too."

"Thanks very much," Bynum smiled in appreciation. "We're staying at the hotel in Checotah. I'll expect to hear from you."

"Fine. An' if you hear about any Snakes bein' brought in, well you just drop in at the jail. That's where we'll be talkin' with 'em. See you later."

Cook and Bynum boarded their rented buckboard and rode away, followed in a few minutes by Jones and the others.

"What do you make of it all?" Bynum asked.

"Well, it could mean real trouble—killings, house-burnings, an' all that. These ol' full-bloods are a proud bunch, an' they're sort of caught in th' middle, as I see it. They'll get blamed for things they didn't do, an' then maybe get pushed into actually doin' those very things they were already wrongfully blamed for. They're frightened, Dix, an' I'm afraid for 'em. Ever' man an' boy in these parts is gunnin' for Indians. Oh, I'm not worried about

Frank Jones an' a few others that's level-headed and experienced. But they can't be everywhere, an' I must say, I don't think we can look to Jack Markey to quiet things down."

"I don't either," Bynum said, shaking his head in agreement. "I'm going to send a letter to the Commissioner as soon as we get back, then you and I had better talk with the editor of the local paper. Irresponsible reporting will certainly fan the coals. God knows, they're plenty hot as it is. Deputy sheriffs have been killed, presumably by Indians. That fact alone is bad enough without letting trigger-happy fools comb the countryside like kids on a quail hunt."

"We'd better talk with Markey again too," Cook suggested. "I feel damn sorry for 'im, but ain't any use in our gettin' too carried away by what's happened. We need Markey, an' we need 'im bad."

"I agree," Bynum replied, "but right now, I'm not sure whose side he's on, the law or the Indian fighters, so we'd better shake a leg. I don't think we've got much time!"

IV

NEWSPAPERS, BAYONETS, AND TIGER MOUNTAIN

To Arms!

Sunday morning, papers all across Oklahoma carried front page stories of the Creek "uprising" under the intrepid leadership of Chief Crazy Snake. Reliable sources reported many killings on both sides and warned of imminent attack by the savage horde said to be gathering its strength in the rugged wilderness of the Creek Nation. By ten o'clock the previous night, Governor Charles N. Haskell, first chief executive of the new state, had learned of the death of the deputies. An hour and fifteen minutes later, he had ordered the Oklahoma National Guard regiment into the field, and by one o'clock Sunday morning, five companies were preparing to move against the Indians.

The decision to call out the troops was based upon sincere belief in the danger of an Indian war. Distraught citizens begged for protection and organized themselves into defensive units and posses to guard the towns and hold the line as long as possible. A week earlier, the mayor of Checotah had grimly determined: "Crazy Snake must go! . . . His people are dangerous to the community . . . It is necessary that they be cleaned up, or else they will eventually depopulate this part of the country of whites . . . The situation is critical!"* Twenty miles to the south, the mayor of Henryetta demanded decisive action: "We care nothing for what the world may think; we want protection and Indian suppression!"**

A few people, including some Oklahoma newspapermen, cautioned against rushing headlong against an enemy that might actually be completely disorganized and hiding in fright. Moty Tiger, first of the appointed principal

**Guthrie Daily Leader*, March 31

***New York Evening Post*, March 31

chiefs of the Creeks, wrote to Governor Haskell, deploring the entire "misfortune" and stating his belief that the apparent crisis resulted from "unnecessary alarm and ill-management on the part of those charged with the duty of maintaining law and order." Chief Tiger's words did not sound like a war cry, nor did the plea of the Creek Indian preacher David L. Berryhill, who wrote to the Commissioner of Indian Affairs in Washington: "We are nothing more than targets . . . [We] are in constant danger of being [sic] massacred."

Nevertheless, settlers throughout the Snake region were gratified to learn that the militia was on its way and Crazy Snake and his savage band soon would be crushed once and for all. Women and children had already sought refuge in the towns, and men armed themselves with Winchesters and thumbbuster .44's. Boys in their teens carried varmint rifles and shotguns, and every male who owned a horse saddled up for service in what resembled the vigilante committees of an earlier day in the Old West.

While the National Guardsmen were issued ammunition and field equipment before boarding trains at various rail centers, Jess Beatty was patrolling alone not far from Chitto Harjo's farm. The husky officer had been among the first United States deputy marshals sworn into duty in 1897 for the northern district of Indian Territory. During the winter of 1898, he had arrested Chitto Harjo and twenty of his followers when a series of meetings at Hickory Ground had become so tumultuous that an Indian rebellion was feared. He had arrested the Chief again before the trip to Leavenworth in 1902. Now, once again in the role of peace officer, he carried a rifle as he neared the Harjo cabin, wondering if the Chief would be around and if there would be many Snakes with him.

Suddenly, the Sabbath calm was shattered as a bullet nicked Beatty's boot heel. Rolling quickly into the tall grass, he spotted an Indian crouching in a clump of low foliage about one hundred yards away. The former deputy marshal fired from a prone position, and the Indian fell

or slipped or just hit the dirt, then managed to scramble through the underbrush to the safety of the woods before Beatty could again catch him in his sights.

Legus Jones

Later in the day, Legus Jones, Chitto Harjo's son, was captured along with four other Creeks. Possemen relieved them of eight saddled horses, four guns, and a file of Creek national papers, including a tribal rollbook for the Snake faction. The prisoners were taken to the Checotah jail for questioning, and young Harjo was brought before Frank Jones. The men from the Indian Service were not present.

"Well, Legus?" Jones began quietly. The Indian remained silent.

"We're gonna ask you a few questions," the deputy marshal continued. "You un'erstand?"

The young man nodded sullenly.

"Where is your father?"

"I do not know."

"Well now, you must know where your own pa is."

There was no reply.

"You better speak up, son, or you're in real trouble. Where is he?"

"I tol' you. I do not know."

"Who was with 'im at your house when the two deputies were killed?"

The prisoner glanced around the room full of unsmiling armed men.

"Come on, fella, you answer my questions. Who was with Chitto Harjo during the shootin'?"

The Chief's son wet his lips and shifted his position on the wooden chair. He seemed to take courage, and a faint smile played upon his rather delicate but well-formed features.

"Hell, Frank, let's string 'im up!" someone demanded impatiently, and others growled in agreement.

The deputy marshal hitched up his trousers and dropped to a crouch in front of the young Indian. He looked evenly

into the dark eyes and saw the mingled fear and hate of a treed animal. He noticed someone nudge the tattered coat with the long slender barrel of a .22 caliber rifle.

"Legus, you better talk. Now, we'll try it once again, an' this is the last time. Who was with your father when th' officers were shot?"

"Some frien's. Some frien's they come for visit."

"Look here, you damn Snake!" a man with a shotgun interrupted. "You start talkin', or I'll stick this here gun down yore neck an' blow your goddam ass off!"

"There's a good tree right outside!" someone else suggested. "Let's string 'im up an' be done with it!"

Jones stood up. "Okay, if he won't talk, we'll jus' have to . . ."

"Wait!" The slight figure on the chair straightened, and held up one hand. "I tell some were there with my father."

The room quieted down, and the men listened.

"One were Lewis Yardeka, and Charlie Coker too. Coker, he plenty good shot. He kill deputies. Sampson Brown there too, an' he shoots like Coker."

The impact throughout the room was electric.

"So it was Coker!" Jones exclaimed. "Okay, that's three. Who else?" he demanded.

"Thomas Jones, an' Tom Ochee too . . . an' Sam Herrod. An' Lewis Smith. On'y a few frien's of my father. No big meeting."

"That's only seven," Bill Carr commented. "Must be more. Think of all them saddles we saw. An' how about you, Legus; You must of been there."

"Yes, two more—Ben Tobler an' me. Tha's all. No others. My mother an' sister in other cabin. No fight there."

"All right," Jones stated. "How many times did you shoot?"

"Two times with pistol. I had on'y two bullets. But I missed. I shoot bad. I did not shoot deputies!" Beads of perspiration glistened on the burnished forehead, but he maintained his composure.

"How about Chitto Harjo?"

"My father did not have gun. He did not shoot. This is true! He walk all time, all time walk across room an' back. He did not shoot! He cross arms like so, an' think, an' walk. These things, these trouble, make him very sad. He stay in house with me when all others run out."

The Chief's son spoke earnestly, then added with the merest trace of a smile, "That when Charlie Coker make targets out of white men who come shooting at my father's house."

Marshal Jones cut short an angry reaction.

"You say you an' your pa stayed in the house. But didn't you both run back into the woods when it was gettin' dark? An' didn't your father get shot—in the leg, maybe?"

Legus Jones swallowed hard, and suddenly the narrow shoulders sagged and he nodded ever so slightly.

"Where is the Chief at?" Jones demanded firmly.

Young Harjo looked directly at his interrogator and, almost inaudibly, replied, "I don't know."

"Is he hurt bad?"

"I do not think so if he can get help, but there is much pain."

"You sure you don't know where he's at? He prob'ly needs help."

The youth lowered his eyes and shook his head. Then he looked at the marshal, his face almost that of a small boy seeking understanding and mercy, and almost imperceptibly he shook his head again.

"All right, fella. We're gonna let you go. You tell your father an' his friends they better come in an' we won't shoot 'em. But if they hide an' make trouble, well then we'll come after 'em with guns an' rope."

Louis Harjo was both relieved and alarmed.

"One more thing," the marshal added. "Where are Coker an' Brown?"

"I do not know," the Indian responded with conviction. "I speak truth. Coker maybe gone to Seminole country, maybe with Choctaws, maybe to Texas." Again, that slight smile appeared. "He be hard to catch."

Dickson H. Bynum

After Legus Jones, alias Louis Jones, alias Louis Harjo, had been released, several men, all of whom had been officially designated special deputies, drifted down Front Street to the Palace Cafe. There, they exchanged assorted facts and rumors and tried to evaluate the testimony they had just heard.

"I think he's lyin'," Lee Bateman was quick to state, working his tongue. "There jus' had to be more of 'em, an' I'll lay y' ten t' one, Snake was slingin' lead."

"I dunno," Bill Carr mused. "Legus seemed right scare't t' me, scare't enough t' be honest. An' he may be right about his ol' man not doin' any shootin'. I sure didn't see much action around that house, I know that. Except for the Chief an' Legus runnin' out. An' I believe 'im when he says he don't know where his ol' man is at."

"But I thought you guys hit Snake?" someone reminded them.

"Well, we all saw some older fella leave the house, an' it looked like we hit 'im in the leg," Jones explained patiently. "Seemed like he limped when he got up an' ran. That was some time after Coker an' Brown an' the rest were behind the fence."

"Yep," Bateman concurred, "that's right. It were long after Ed an' Larry 'uz shot. I recollect it 'uz gittin' hard t' see. Must of been Harjo. He didn't move very fast. You seen 'im, didn' you, Bill?"

"Sure I did. Him an' one other. They was last to reach the fence. I could of got 'im when he crawled under the wire, but my dadburn gun was empty."

The deputies laughed, then quieted down as Dickson Bynum and Fred Cook entered and seated themselves at one of the tables occupied by lawmen. They ordered coffee and soon were joined by Frank Jones.

"Hello, Marshal," Bynum smiled genially. "I hear you talked with Chitto's thon."

"Yes, Dickson, we did. Sort of expected to see you there."

"We didn't get the word until after you had releathed him."

“That’s too bad, but you didn’t miss much. Only lasted a few minutes.”

“No matter. But I am glad you let him go. Did you learn anything? We heard he didn’t know his father’s whereabouts or how theriouthly he wath hurt. How about the others?”

“Sure chock full o’ questions, ain’t he?” Cook grinned.

“He’s already asked more than I did back at the jail,” Jones laughed. “No, we didn’t learn much. As for the rest, well, we ain’t got room in the lockup for every Snake on the rolls. We’ll let go everyone who can account for himself. Lets those back in the hills know we ain’t holdin’ necktie parties.”

Bynum smiled disarmingly, showing even rows of large, very white teeth. “I’ll admit I am relieved,” he confided. “Folks who knew Baum and young Markey can hardly be blamed for wanting to hunt down those they think did the killing. But they must not be allowed to take the law into their own hands.” Deliberately he met the eyes of each of the men seated near him.

They liked this tall quiet man from Muskogee who stuck to his guns even when his ideas were anything but popular. Privately, some people admitted that he might be more right than Sheriff Markey about how to handle Crazy Snake. Many long-time residents could not just sweep aside memories of years of good relations with their Creek neighbors. They could not believe that their lives were in danger or that Chitto Harjo was preparing to attack them. But few listened to the protests of the old people.

“I hope you men agree,” Bynum continued. “It is not easy to see your friends shot down and at the same time resist the temptation to even the score.”

He looked hard at each of them, then his steady gaze rested on Lee Bateman.

“How about you, Mr. Bateman? I’ve heard you swore to kill Sampson Brown, Charlie Coker, and Chitto Harjo. Will you—*can* you—uphold the law?” It was a quiet ques-

tion, not a challenge, and Batemen did not take offense. "Nothing personal, but . . ."

"No, I don't blame you none fer askin'." The leathery face wrinkled into a self-conscious smile, and he shifted his lanky frame on the cafe chair. "Guess I've said a thing or two along that line. What happened out there like t' made me crazy, an' I aim t' do all I can to find them as did th' shootin'. Howsomever, you needn't worry. I'll stick with Frank an' Bill here." He looked at his two buddies and snapped his tongue.

"I don't think you need to worry about Indians gettin' roughed up by the law," Jones said seriously. "But I'm frank t' say I'm not at all sure about the posses that are formin' right an' left. Men an' boys are strappin' on guns an' ridin' out after Indians, an' some of 'em'll be mighty quick on the trigger."

"Won't the National Guard be able to control them?" Bynum asked. "I understand the Governor has mobilized five companies."

"I don't know," Jones replied. "They can if they mean business."

"Then again," Carr remarked skeptically, "they might jus' make matters worse."

"Who's in command of the Guard?"

"General Canton," Jones answered. "Frank Canton. That's one thing in our favor. He was a Texas Ranger an' a sheriff an' deputy marshal for a helluva long time—more'n fifty years, I reckon. Was even some kind of deteatiff at one time. He's had a lot of experience."

"What does he think about Indians, though?" Bynum persisted. "If he's an old frontier type with a reputation to live up to, he may be the last man I'd care to see around here just now."

"No, I don't think you need be concerned about General Canton," Jones assured. "He'll try hard to quiet things down an' keep both sides under control. Of course, he won't be out here personally, I don't s'pose, an' I don't know who he might be sendin'."

"We'll know soon enough," Cook remarked. "They should get into Henryetta this afternoon an' tonight."

Bynum turned his chair sideways to make room for his long legs. "I am of the opinion we had better talk with whoever is in charge as soon as they arrive," he said. "By the way, has anyone seen Sheriff Markey? He was in a pretty ugly mood this morning, according to what I heard. Someone said he was threatening to personally kill Coker and Brown, and was recruiting deputies. Of course, this may be nothing more than rumor. Know anything about it, Marshal?"

"Jack can get real mean," Jones replied, "an' o' course he's still pretty shook up. I did hear that a bunch of Indians was seen in the woods around Pierce, an' he pro'bly heard it too. He might even be ginnin' up some action, but he didn' say nothin' to me about it. You see, in anything like this where he needs help, the county sheriff can always count on the United States marshal or the deputy marshal. I'll do whatever I can to maintain law an' order in McIntosh County, but Jack's callin' th' shots, at least 'til the Guard gets here."

"I see." Bynum absently raised a sliver from the worn edge of the table until it snapped. He ran his thumb over the broken place, then looked at Jones.

"If you think he may have gone to Pierce with a posse, I wonder if you shouldn't go back out there and keep an eye on him. You might prevent some foolish act that could backfire on all of us. A lot could happen before the National Guard arrives. While you're doing that, Fred and I can drive over to Henryetta and get acquainted with the commanding officer. What do you think?"

"Okay by me. My boys are still here. I'll take half a dozen an' ride on out there. Maybe see you at Henryetta this evening or tomorra morning." He pushed his chair back and, followed by Carr and Bateman, joined his deputies.

The two men from the Indian Service lingered before the window, looking out at the busy, dusty street. Riders passed back and forth, pausing to mill about here and there, waving and shouting. Women and children filled the

thoroughfare, trying to stay clear of restless horses. Groups of riders left town as others entered, the latter often flanking one or two Indian or Negro prisoners being taken in for questioning.

The mood of the people was uncertain. They cheered incoming posses that brought quarry, but the wretched captives that trudged in the dust did not inspire fear, and the townsfolk stared at them in mingled anger and pity. And when they got closer, you might even see someone you knew, and you hoped they wouldn't see you. After a few hours in jail and a brief interrogation, most of those brought in were released. They left town hurriedly, and there were no public demonstrations.

Dana H. Kelsey

In the Muskogee office of Dana H. Kelsey, the Union Agent, information about the growing unrest in the Creek country had been coming in for weeks from the district agents. The recent flare-up and the Governor's decision to call out the state troops were reported by Kelsey to the Commissioner of Indian Affairs in Washington, D.C.

Kelsey was a veteran of eleven years in the Indian Service when he was appointed agent in 1905. Although he was barely thirty years old at the time, he had already built a reputation as an able administrator and a man of integrity. While fifteen district agents acted as his eyes and ears in the two or three counties comprising their individual jurisdictions, he carried on a voluminous correspondence with his field force and with superiors in Washington, issuing orders, hearing complaints, conferring with private interests, and supervising a sizable staff.

In July of 1908, there had been reports that serious trouble was about to erupt in the Creek country. The acting governor had ordered four companies of the state militia to readiness, and the Commissioner to the Five Civilized Tribes and Agent Kelsey had gone to Hickory Ground to investigate. Subsequently, the Commissioner sent a telegram notifying the Secretary of the Interior that there was

no foundation to the reports, and Kelsey wired the Commissioner of Indian Affairs in Washington that the presence of state troops was not necessary. During the ensuing months, Kelsey and the Commissioner in Muskogee had worked together to sift fact from fiction in a joint effort to protect the Indian while speeding up his acceptance of the values and practices of modern white society.

Tally Ho!

Neither the Commissioner nor Kelsey had favored calling out the militia in 1908, and neither did they in 1909. At no time within memory had relations between the Indian Bureau and the War Department been good. Both organizations desired peace in the Indian country, but historically they had always approached that objective quite differently. Their understanding of federal Indian policy and how it should be carried out were in conflict, and it seemed that the work of one was constantly being undone by the other.

The degree of cooperation actually achieved between civil and military authorities during the Crazy Snake campaign is all the more remarkable in view of the racial issue and the psychology of hate and fear that permeated the area surrounding Hickory Ground.

In Washington, the Commissioner of Indian Affairs responded quickly to Agent Kelsey's communications covering the fights at Hickory and near Pierce. He dispatched a telegram to Kelsey which said:

KEEP ME IN CLOSEST TOUCH WITH ANY POSSIBLE RELATIONS TO PRESENT TROUBLE OF INNOCENT OR MISGUIDED INDIANS WHO SHOULD HAVE ANY KIND OF SUPPORT OR HELP FROM US

When Bynum informed Kelsey that Indians had been arrested on suspicion and were being held in jail at Checotah and Eufaula, Kelsey and the McIntosh County Attorney

promptly arranged for fair hearings and directed the release of prisoners not specifically charged with violations of the law.

Justice did not triumph easily, however. The slaying of Baum and Markey, widely reported in the press, was said to be the result of a "bloody attack" upon unsuspecting officers. According to many newspapers, the Indians, armed with repeating rifles, were concealed in the underbrush, and when the posse came within range, it was ruthlessly ambushed. Many Indians, Negroes, and whites were reported killed in the battle, and indignant editorials appeared throughout the country deploring Frank Jones' inhumane treatment of Legus Harjo. A news service story said that the deputy marshal placed a rope around the prisoner's neck and tightened it until the Indian, "kicking frantically and clawing at his constricted neck," gasped out the names of Snakes present at the cabin fight.

It was a struggle between Indian stoicism and the white man's torture . . . The Indian's breath was coming in short gasps now. Still he struggled hard against the disgrace of yielding to hempen torture. But at last he despairingly whispered: 'Let down, tell—all—know.'*

Crazy Snake and his Snake band were declared to be as primitive as their Cheyenne and Sioux brothers farther west. With whiskey in their bellies and modern rifles under their blankets, they were said to have taken the warpath in the fashion of the Plains Tribes of the mid-1850's to whom, in fact, they bore almost no resemblance. Metropolitan papers throughout the United States printed photographs of a group of Sioux and likened them to the notorious Snakes of Oklahoma. Sioux headdresses and a background scene of Plains Indian teepees helped establish the reality of an Oklahoma frontier practically ablaze with the horrors of Indian massacre.

The story was carried on page one from New York to California. Within days, adventuresome lads from Sche-

*Printed in many papers, including *The (Philadelphia) Inquirer*, March 29.

nectady to Santa Barbara were setting out for Oklahoma. Too young to have seen the Old West when it was wild and woolly, they were eager to be present during this last moment of the long struggle against the most colorful foe ever to sweep across the pages of an American history book—*Indians!*

Of course, most of the Oklahoma Indian fighters of 1909 were recruited locally. To qualify for posseman, you needed a horse and a gun—pistol, rifle, shotgun, it didn't matter. Some of the men who rode out from the towns were answering what they saw as a call to duty, a duty to themselves, their families and friends, and their fledgling state. They considered the Snakes disreputable neighbors whose presence would deflate land values and discourage commercial enterprise. These men would shoot if necessary, but they were primarily in the field to put a leash on Crazy Snake and an end to Snake depredations. This meant arresting the ringleaders and keeping them out of circulation for as long as circumstances required.

The posses also included a large number of men and boys who viewed themselves in more heroic perspective. Delighted with their new role and confident of their ability to handle it, they convinced each other that they were facing up to a responsibility, bravely riding forth to do a dangerous but necessary job. Others made no attempt to conceal their outright pleasure in joining the chase. There was safety in numbers, and the event promised excitement and thrills for everyone.

A policeman from the Durant District Office lost no time in expressing his alarm over allowing every Tom, Dick, and Harry to roam the country hunting Indians. In a letter to Kelsey, he wrote:

You are familiar with their [Snake] customs and can handle them with 2 or 3 police to a better advantage than 4 Regiments of State Militia, with the feeling that exists between the Indians and the State Officers. Some of the County officers want more notoriety and will jump at a chance to shoot an Indian. A dead Indian claim is worth more than a live one in this country.

Kelsey believed the full-blood Indians were responsible for the Creek troubles, but he was a man of sound judgment based upon long experience. To him the very thought of gangs of vigilantes combing the woods for an ignorant old man was morally reprehensible. "If they flush him," he told a reporter, "he wouldn't have a chance; they would shoot him to pieces and come home waving remnants of his bloody clothes and telling lies about their skill in tracking him down and killing him." But the Union agent could not prevent the forming of illegal posses, and scores of men swarmed into the fields, forests, and river bottoms, eager to preserve the peace before the National Guard marched on the scene.

Frank Canton

Adjutant General Frank Canton was one of the most efficient and picturesque of the veteran peace officers of the southwestern frontier. Twenty-five years earlier, he had spent considerable time in the Creek country as a cattleman and deputy marshal. In his own words, his personal experience had included "about everything in the line of outlaw fighting. I have had to deal with the Mexican Greaser, the Indian, and all classes of white criminals, such as train robbers, stage robbers, horse thieves, and cattle thieves."*

Canton's firsthand acquaintance with the Indian and his knowledge of Creek customs and traditions led him to doubt press stories and rumors surrounding Chitto Harjo and his "war party." Promptly complying with the order of the Governor, he directed Colonel Roy V. Hoffman of Chandler to lead five companies of the state National Guard regiment into the field to protect Oklahoma citizens and restore order. He confided to friends, however: "I am rather of the opinion that some wild newspaper writer has worked off a small-sized riot as an Indian war." Amidst

*Foreword to his autobiography, *Frontier Trails*, 1930.

all the excitement, he was apprehensive that, as he put it, "someone may have to do something to keep up the show."

Nevertheless, settlers throughout the Checotah-Eufaula-Henryetta region were relieved when on Sunday afternoon the first units of the militia appeared. Companies F from Muskogee, M from Oklahoma City, B from Chandler, H from Durant, and C from Shawnee, and Engineer Corps, Signal Corps, and Hospital Corps units from Lawton, Blackwell, and Oklahoma City had taken special trains within hours of receiving their orders.

Roy V. Hoffman

The troops had not yet arrived when Dickson Bynum and Fred Cook went to the Henryetta station to meet the early train from Okmulgee. Several people got off, including a tall, poised gentleman in immaculate military uniform. He had a sandy moustache of modest proportion, and appeared to be in his mid-thirties. A lawyer by profession, he would later serve overseas during the Great War and be promoted to brigadier general.

Bynum stepped forward.

"Colonel Hoffman?"

The officer turned with a ready smile and offered his hand.

"Yes, Roy Hoffman. I am in command under orders from General Canton."

Bynum introduced himself and Fred Cook.

"I'm glad to know you gentlemen," the Colonel responded. "I hope you are going to fill me in on what's going on. So far, all I know is what I read in the papers. And Sheriff Markey, is he here too?"

The colonel noticed a group of men approaching, some of them law enforcement officers from Henryetta and nearby towns. Bynum tactfully assured him that he and Cook were the people with whom he should be talking.

"I don't thee the sheriff," Bynum said, "but you will

meet him thoon. Meanwhile, I think Agent Cook and I can be of athithtanth to you, Colonel. The Commissioner has asked us to cooperate with you in every way potihble."

"Excellent! I had hoped to get some Indian Office guidance on the nature and cause of the trouble that's been building up. I understand there may be no time to lose. Where can we best talk?"

"If it's all right with you, I suggest we go over to the Phoenix. It's about the best place to talk."

"Sounds fine. But I can't delay long. I want to visit Hickory Stomp Ground before the day is over. I shall appreciate your assistance in gathering a few facts and showing me around a bit."

"Good," smiled Bynum, his slight lisp disappearing, as it always did. "We'll be glad to take you to Hickory. I've borrowed a spring buckboard that is at your service."

"Wonderful. I'll have my horse in a few hours, but until then, I accept!" Hoffman was genuinely pleased by the courteous reception, and within a short time, a mutual liking and trust began developing between the three men.

Before they drove off, the colonel spoke briefly with local lawmen, citizens, and newspaper reporters who had gathered around him. He told them that by working together they could re-establish normal conditions in a very short time. He emphasized his hope that Crazy Snake would be taken alive and that the Snakes could be subdued without further bloodshed.

"I can tell you that the force under my command is more than adequate to control the situation," he concluded with a friendly wave.

At the Phoenix Hotel cafe, the three went over the events of the past few days.

"You say, then, that this Seminole, Charlie Coker, is the man who shot the deputies?" the Colonel asked.

"That's what Chitto Harjo's son told Marshal Jones," Bynum answered, lighting his great pipe. "Jones and the men with him thought Sampson Brown was involved too."

They identified Brown's hat and a neckerchief he always wears. Both were picked up at the site of the shooting."

"They didn't think Coker was hit very bad," Cook added. "But there was a lot of blood where they thought Brown had been layin', so he could be in pretty bad shape. They also think Chitto Harjo was hit, an' so does Harjo's son. Could be he ain't tellin' the truth, though, an' no evidence has turned up."

"I'm inclined to think Brown is hurt and is being cared for some place around Pierce," said Bynum. "Coker may be with the Chief. They both probably have superficial wounds, but don't dare show themselves for fear of being shot by possemen."

"That makes them potentially dangerous, assuming they are armed." Colonel Hoffman spoke slowly, holding a steaming cup of coffee in both hands, his clear blue eyes probing the dark contents. "A fugitive will strike back in any way he can if he's cornered. Heard about any other shootings today?"

"We've heard very little," Bynum replied. "I suggested to Jones that he visit the Harjo farm again and try to discourage any jackleg posses that may be in the area. He should be out there now. Did you hear anything at the station, Fred?"

"Not much. One fella said he heard Coker had gotten a few miles but had died this morning. I don't believe it. Too many stories flyin' around. Take the morning paper. They said Carl Bright was badly wounded, an' the same man at the station told me that Bright had died. We all know he wasn't even in the fight."

"Gentlemen," the colonel interrupted, "I'm anxious to get started, if you're sure you can take time to ride out to Hickory with me."

"Absolutely," Bynum replied, rising from the table. "We can leave right now."

"Good. I want to get back while it's still light because the troops will be arriving and we need to make arrangements for tomorrow."

In a few minutes, the young colonel and his escort were hurrying to an upland stand of sycamore, ash, plum, oak, and hickory, the scene of innumerable happy occasions—and a gunfight.

Sunday, March 28: Enter the National Guard

Encamped in a locust grove just outside the village of Henryetta were troops of the first units of the state militia. They had arrived Sunday afternoon, and had been directed to pitch the few tents they had brought with them and await further orders. About supper time, Frank Jones and Sheriff Markey rode in and introduced themselves to Hoffman's adjutant, Lieutenant Mont F. Highley. Then they went into town for something to eat and returned just as the colonel, Dickson Bynum, and Fred Cook got back from Hickory Ground.

Hoffman made a quick inspection of the camp, and asked Highley to see that a telegram was immediately dispatched to General Canton in Guthrie.

"Tell him: TROOPS ARRIVED IN GOOD ORDER STOP EXCITEMENT AMONG THE RESIDENTS GREAT. That's all. Nothing much more we can say right now. Let me know when the message has been sent, Mont."

"Yes, sir. Shouldn't take but a few minutes."

As the lieutenant left, Colonel Hoffman welcomed his visitors and provided them something to sit on. His manner was friendly and unassuming, betraying a certain graciousness uncommon amid the building and busyness of the western frontier.

"You know much more than I about the Snake difficulties," he began, "and I suppose you might even have a personal acquaintance with Crazy Snake and some of his tribesmen. For my part, I can only say we're here to carry out the Governor's and General Canton's orders, which means, first of all, to end the danger of an Indian uprising. Maybe we have already done that simply by being here. I don't know."

He paused to light a fire already prepared by an aide, then he continued.

"We are also here to put an end to the trouble that seems to smolder in the Creek Nation from year to year. I don't want to make judgments without facts, but if Crazy Snake is at the bottom of this, we'd better find that out. Of course, we need to talk with him. If he has gone to the brush, we'll go after him. But before we do anything, I need advice and information from you gentlemen. I have already had the opportunity of talking at some length with Mr. Bynum and Mr. Cook. We went out to the Stomp Ground at Hickory this afternoon, but learned next to nothing. The place had been burned to the ground. We did find a fresh grave, which Bynum and Cook knew about, but nothing more except a couple dead horses some distance away from where the fight took place."

The fire gained strength, then blazed up through the dried twigs, shooting a brilliant shower of sparks straight up into the azure twilight. A trooper added a few branches, then joined one of several quiet groups of uniformed men. A horse nickered and was answered, and a bobwhite called once and was still. Someone began playing a harmonica.

Hoffman and Bynum lit their pipes, and for several minutes no one spoke. In the west, the magenta afterglow steadily faded away. At length, the colonel turned to Jack Markey, who was lighting a cigar with a burning twig.

"Sheriff, I want to say that I am very sorry about your boy. We will do everything possible to find out who was responsible and bring those people into court."

"Thank you, Colonel, it was quite a shock. That telephone call from you, Frank. I'll never forget it. And when I got home . . . well, my wife couldn't believe it either. Then that wagon . . ." The Sheriff shook his head as though to erase the pictures haunting his memory. Wearily his large, scarred fingers massaged a lined and weather-beaten face. Then, he stared vacantly into the nervous, soulless flames.

"It all happened, though," he sighed, "an' for no rea-

son on God's earth. A ignorant bunch of Indians can't see the facts of life, an' because of their drinkin' an' being like damn animals, they've taken to killin' people, an' all of a sudden my boy Larry winds up in the graveyard. The miserable creatures don't even know what they've done."

"Perhaps not," the colonel replied softly. "Our job now is to see that there is no more shooting, no more killing."

"Murder, you mean! No more murder!" Markey suddenly interjected, his deep-set eyes red-rimmed and flashing with flame reflected from the fire. "Those Snakes murdered my son in cold blood, an' young Baum too, an' sure as there's a law in this land, I'm goin' to see 'em hang for it!"

There was a quaver in his voice as he stood and faced Hoffman, then turned to confront his old friends. "Crazy Snake an' Coker an' Brown an' a few others that's been at the bottom of every scrap of Indian trouble we've had around here for twenty years. Ain't it so, Frank? You know damn well it is!"

Jones knew that Markey wasn't asking him to confirm what he was saying, but he recognized the danger signal and wanted to respond before his friend became too worked up and emotional. It had happened before.

"Well now, Jack, I agree with you that some of these here Snakes have been troublesome for a long time. I'd sure like t' know where Brown an' Coker are in partic'lar. They seem t' be the ones we're really lookin' for."

"Hell, Frank, it's them an' Crazy Snake!" Markey insisted loudly, his arms gesturing emphatically. "He's the one behind all this. He gets 'em into his house an' preaches the old Indian way to 'em. Don't do what the sons-a-bitch-in' white men say, do what *I* say! Do what your fathers did! *Be a real Indian* an' kill any law officer you see! That's the kind of talk he feeds 'em. An' then, while they're stewin' about that, he trots off to Washington to have a council with the Great White Father! Christ Almighty, can't you see through that?"

Markey paused, noticing and not caring that several soldiers were watching.

"May I ask you a question, Sheriff?" asked Dickson Bynum.

"Sure you can, but I know your angle an' I don't agree with it! Not one God damned iota." He aimed an accusing finger, and his voice grew husky. "You were with me when I got that telephone call. You sat right next to me when I learned that Larry lay in the woods some place with a Indian bullet in his heart. Well, some of that lead is in my heart too, an' don't you ever forget it. If you've got anything to say to me now, you better not be preachin' sweetness an' light for your noble Indians!" The vein in his head pumped prominently, and he bit down hard on the cigar.

Bynum, seated on a wooden crate, glanced up and drew deeply on his oversized pipe. "Sheriff," he said quietly, "am I right in assuming that you honestly want the right men—the ones who killed your son—brought to justice?"

"You're damn right I want 'em brought to justice—with a rope around their goddam necks! That's the only justice Snakes un'erstand, them an' the niggers that's in cahoots with 'em."

"But will you insist on legal procedure?" Bynum asked the question evenly, looking hard at the McIntosh County Sheriff. Each of the others followed his gaze, listening for Markey's answer.

The Sheriff paced briefly in his odd, mincing manner, then turned his back to the fire and stopped before Bynum.

"Sure, Mister Commissioner," he smiled coldly, "I'll insist on legal procedure just as long as there's one of 'em left. I want only one thing outa life right now. We'll call it justice."

With that, Markey sat down heavily, his swarthy face a study in lights and shadows. A sergeant appeared with a collapsible steel tripod, which he placed over the roaring fire. From it he suspended a large pot of water and poured in a cup of freshly ground coffee. The others watched and

said little as he hung and lit three kerosene lamps to further illuminate the area.

Out of the deep hush of twilight a whippoorwill briskly repeated itself. Shortly the colonel turned to Markey, then hesitated, moistening his lips and clearing his throat. Then he said what he knew he had to.

"Sheriff, it may be that I misread some of what you say, and I hope you will forgive me if that is the case. But I think I should remind you that, until my troops and I retire from the field, I will be in charge of all measures taken against the Indians. Your assistance and cooperation I most earnestly solicit, but I should like to make it completely clear that all Snakes arrested, Indian or Negro, are to be brought before me or one of my officers for questioning, and under no circumstances are unauthorized posses to be permitted anywhere in the area. You and other law officers, both state and local, have a duty to protect the people—including Indians—and maintain order. My men will not interfere with you. I hope irresponsible gunmen will not either."

Deputy Marshal Jones saw Bynum's approving smile. Then Jones coughed slightly and remarked, "Glad you said that, Colonel, because Sheriff Markey an' I are both concerned about the posses we know are out every day. Might be we should check on every posse we see, an' any armed man without a written authorization from one of us or some other officer of the law, should be arrested an' brought in."

"But Frank," Markey sputtered, "we're huntin' Indians, not possemen!" Recognizing, however, that his old friend was extending a helping hand, he said nothing more.

"I suggest we all agree to do as you say, Marshal," the colonel replied, "except that any offender should be given a chance to disarm and go home on his own. And I would add that anyone found harboring criminals or fugitive Snakes will be arrested. Does that sound reasonable to you gentlemen?"

"Makes sense to me," Jones stated. He admired the skill

with which the colonel had handled the situation.

"And you, Sheriff?" Hoffman asked pointedly. "I will need your help and hope we can work together."

"Yeah, it's okay with me," Markey replied. "We sure as hell don't want a lot of lunatics with guns out scoutin' for just *any* Indian. Some of these people are right respectable. I mean like Eufaula Harjo or Moty Tiger or the Thompsons, an' a few others I've known all my life. Why, some of 'em I know to be as honest an' hard-workin' farmers as you'll ever see—includin' whites!"

Cook was grinning from ear to ear, and the Sheriff, mistaking the reason, bristled and snapped, "It's true, Fred! Of all people, you oughta know it."

"We're with you, Jack," Cook soothed. "We want t' be sure we're all agreein' on the same rules. That's all."

Markey smiled and lightly punched at the district agent's shoulder.

"Fair enough. Guess I spouted off a bit, but I feel better. Sure, I'll work with you, Colonel."

Plainly relieved, Hoffman smiled and said, "You had me worried." Then he sent for some of his officers, whom he introduced: Lieutenant Colonel Charles West and Major J. C. Herr, both from Chandler; Major Charles Barrett from Shawnee; and Captain Fred Hunter from Oklahoma City. He also mentioned that a newspaperman from Guthrie would join them in the morning, and other reporters could be expected to show up.

Turning to Frank Jones, Hoffman said, "Marshal, I hear you visited Chitto Harjo's house again. Anybody home?"

"Yes an' no," Jones replied. "Some of the boys rode out early this morning, but nobody was there. Bill an' Lee here were with me an' Jack an' Mr. Baum. We went to get Larry an' Ed, the men who were killed. Jess Beatty took a posse farther east, an' they spotted a bunch of Indians. Chased 'em into the Concharta Mountains, but that's rough country, an' they lost 'em. Jack an' me an' some others went

back to the Chief's place later on, an' we ran into a little action."

Jones reached for a chunk of wood, tossed it on the fire, and continued.

"They opened fire from the kitchen cabin when we were still a hundred yards away. Guess we might of fired fifty or sixty shots on both sides. Saw two Indians run into the woods, but I don't believe neither of 'em was hit. Anyhow, the shootin' stopped. We didn't know if anyone else was in the cabin or the main house, but we thought there were shots from the windows, so we stayed spread out an' behind cover. Except for that damn fool Harrison Janes—I hear he's the one fired the camp at Hickory. Well, he snuck in close before any of us saw 'im, set some grass afire an' tossed it through a broken window. That burned the place to the ground in fifteen minutes. The boys an' me didn't like that much, an' I reckon you won't neither."

"I sure as hell don't," Cook growled angrily. "Harjo's house is actually burned down?"

"Just the cabin. I'm real sorry it happened. We've had trouble with Janes before. He's even threatened to burn Indian farms. Center an' I are goin' t' keep an eye on 'im."

"You say you've had trouble with this fellow before. What kind of trouble?" asked Hoffman.

"Oh, he pulled a gun on me one day in Checotah," Jones replied in a matter-of-fact tone. "He was drunk, but he meant business. I had told 'im t' go on home, an' I thought he had, but it was jus' t' get the gun. Funny thing, he never has held that against me—shootin' im in the arm, I mean. He seemed to un'erstand I had no choice, except to kill 'im. Some around here would of, too. He's a strange hombre. Traveled with Al Jennings a while, then turned around an' helped Dead Center round up Jennings an' his whole gang. Janes never seems t' know where he's at or which side he's on."

Marshal Jones paused to light the cigarette he had rolled. He seldom smoked, and when he did, he spent more

time rolling than smoking. He took a long drag, then went on with his report.

"Well, it was quiet for a time, an' we thought maybe some of you boys or maybe a posse had scared 'em off. Leastwise, we stayed down so's nobody'd think we was Indians an' open up on us. But after a time, when the smoke from the cabin had cleared, we moved up."

"That's when somebody fired a couple shots," Markey recalled. "I know I dove into a patch of poison ivy. I don't get th' stuff though, an' of course there ain't any leaves yet." He smiled uncertainly and scratched his arm. The men laughed and he was pleased. The desperate sense of grief was easing. A heavy, oppressive cloud, it had settled around him and shut out all light. Now, like a fog before a warm sun, it was thinning. The Sheriff felt a momentary twinge of guilt, then a comforting sensation of release and comradeship. The worst was over.

"Say, Jack," Jones said, sensing the psychology of what was happening, "did you see Lee sittin' under that big ol' white oak when that stick dropped onto his lap?"

"Hell, he practic'ly jumped into th' tree settin' down!" Markey's unforgettable laugh was a burst of staccato sounds completely devoid of amusement. But the good humor showed in his eyes, where it replaced the anguished, pained expression of the last twenty-four hours.

"Here he sat," Jones related, sitting on the ground to demonstrate, "quiet as a mouse, his legs crossed like this, an' his back against th' tree. Then two or three shots tore through the branches, an' after that we heard the shots a long ways off. Well, this little twig gets clipped off an' lands right smack in Lee's lap. Boy howdy! He thought he'd been shot sure enough!"

Jones leaned back against the imaginary tree and went all the way over. His audience slapped their thighs and whooped merrily, spurred on by Markey's bizarre "Eh-eh-eh-eh! . . . Eh-eh-eh-eh!"

The colonel rose and extended a helping hand to Jones, his boyish smile showing rows of even white teeth.

“Marshal,” he chuckled, “I can tell you there’s a future for you on Broadway! That performance was worth one cup of hot coffee. How about the rest of you? It’s probably strong enough to get up and walk, but it’s guaranteed hot.”

They responded with enthusiasm, rubbing their hands before the warmth of the flames and turning up the collars of their windbreakers against the falling temperature and a dying but chilly breeze.

While they sipped gingerly from hot tin cups, the strains of the mouth organ rose again, this time tentatively accompanying a very pleasant baritone voice singing a ballad of the Old West.

There was a fair lady
Lived out on the plain;
She’d help me herd cattle
Through slow, steady rain.

She’d help me herd cattle
All through the round-up;
She’d drink her red liquor
From a full brimming cup.

She would drink her red liquor
It would affect her own soul.
There was a fair lady
As white as the snow.

A guitar joined in, and Hoffman and his guests listened as the uncertain wind bore the words with care, or tossed them and lost them amid the rising tide of night.

We camped at the stockyard
In the fall of the year,
Stayed all of the winter
In the herd of the steers.

The Indians would attack us
Mid-hours of the night;
She would rise from her warm bed
The battle to fight.

She would rise from her warm bed;
How loud she would cry,
"Come, all you brave cowboys;
Right here we must die!"

Loud roared the thunder;
Down poured the rain.
There came a stray bullet
And dashed out her brains.

I sprang to my saddle
With a gun in each hand.
"Come, all you brave cowboys;
Let's win this fair land.

We'll win this fair land
If it costs me my life,
For the Indians have murdered
My darling sweet wife."

Shining bright rifles,
We fed them cold lead
'Til many an Indian
Lay around that shack dead.

Jones chuckled. "Ain't heard that in a coon's age. Reminds me of some of th' songs my ol' man used t' sing back in Arkansas. He was pretty good, but me, I can't hardly carry a tune in a bucket."

When Hoffman remarked that he and his officers would like to find out more about Chitto Harjo, Marshal Jones and the others readily obliged. They related all they could about the old Indian's physical appearance, his family and home, and his attitude about land allotment. Bynum, the colonel, and Markey—representing the Indian Service, the Army, and local government—reiterated their wish to assist each other while guaranteeing justice for the Indians and their Negro fellow tribesmen.

The colonel then offered his guests warm blankets and a tent, and asked if they would stay for the night. Cots had not yet arrived, however, and the Phoenix Hotel was more

inviting. As Jones put it, "Fightin' Indians your way, Colonel, could be downright uncomfiterble!"

In the east, a typical March moon hung red and large behind Tiger Mountain, casting a dark light over the tents huddled beneath the locusts. The plaintive melodies of the harmonica blended fretfully with sounds of a large camp buttoning up for the night, while the stilling air currents lightly fanned yet another fire burning hot and bright far back in the dark and silent hills.

Tiger Mountain

On the west slope of the heavily timbered knob known as Tiger Mountain, a dozen figures hunkered down near a vigorous blaze that illuminated the entire clearing. A shadow freed itself from the surrounding blackness, and a man emerged, dragging a long cedar bough. Raising the large end shoulder-high, he abruptly let it fall on the fire. With a ripping, crackling roar, the flames engulfed the limb and showered sparks all over the clearing.

"Damn you, Willy! Can't you be a little more careful?"

Reclining and squatting forms sprang to life, as glowing embers and leaf fragments dropped everywhere and then lay smoking in the dirt. The man laughed unpleasantly.

"Whatsa matter? You boys said you was col'. I jes' aim t' please, you know dat."

"Aw shaddup, Willy. You g'wine burn us to' deaf. Come away fum dat far. He'll burn jes' fine by hisse'f wifout no he'p fum you."

The brightening moon was losing a contest with ragged, low-circling clouds, as clustered points of light, momentarily marking towns in the distance, fused and faded and were gone. Another shadow materialized, separating itself from the ebony void, thick and impenetrable, that consumed the land and all that stood upon it.

"That you, Micksie?"

The challenge was spoken in the liquid sounds of the Muskogee tongue. No one stood or reached for a gun.

"Yes, it's me. Who's here? Chupko?"

"Yes, and Tuffer, Pin, Foxie, Willy, Took, Euchee Joe, and Big Jim. And some others, mostly blacks."

The man called Micksie sat down wearily on a large rock and removed his hat. Perspiration shone across his copper forehead as he mopped his face and neck with a large red handkerchief. He was not tall, but had the appearance of ruggedness coupled with great strength.

"What have you found out?" Chupko Yahola asked, his voice low and his countenance grotesquely serious as the firelight accentuated a drooping, straggling moustache.

"He's been wounded all right . . . and it hurts him plenty," replied Micksie Barnett between breaths. "He went to Polly Davis' house after the fight. His sister, you know."

Chupko nodded and the others listened.

"He was taking a chill and she gave him a blanket."

"Can he walk?"

"No, he must lean on a stick. The bullet is in his leg or his side, I don't know. Charlie Coker is with him, George and Haggey Thompson too. Coker was shot too, but it is a slight wound. They took Chitto to see the medicine woman near Hickory Ground, but something went wrong and she wasn't there. Chinnubbie Coser went to find her, but he was arrested by the posses or the sheriffs. Or maybe the soldiers.

"Soldiers!" Chupko leaped to his feet.

"Yes, they are camped just outside of Henryetta. Must be a hundred at least, and it looks like more are coming. I heard that the Governor ordered them to attack us."

"But why! What have we done?" The news was incredible. "Are they joining with the posses? Do they think *we* killed the sheriff's son? Something else must have happened . . ."

"Slow down, my friend. I cannot give you answers to my own questions. I do not know. But I have seen the soldiers, and they are not after the posses. They are not our allies. Chinnubbie found that out. He told them he wanted

a doctor for his sick wife. Now he is in the jailhouse at Eufaula, and I do not know how long they will keep him there or what they may do to him."

"Then Chitto has no help yet?" Chupko asked gravely, quickly comprehending the changing dimension of an already bad situation. He was distressed to hear about the soldiers and shocked that Chinnubbie had been arrested for no apparent reason. But first things first. "The bullet is still in him and he has had no help?"

"Not yet, but the woman is to meet him by the river soon. We are fortunate someone found her."

"You mean the Canadian."

"No, Deep Fork."

"That is too close! Surely he will try to move farther away . . . or can't he?"

"He will move on. The timeless heritage of the Muskogee Nation lives in this man, and it will sustain him. But he must go very slow unless we can get horses. I think the Thompson boys will take care of that . . . This is a terrible thing that has happened, my friend. We dare not show ourselves, lest we be shot like dogs. Posses are everywhere. I hear many people have been killed. I do not know that this is true, but I fear it will be."

"We must do something to help Chitto to find a safe place," Chupko announced, facing the group. "We must keep him out of the hands of the posses and the soldiers. This we must do at all costs. They will not hesitate to take him to a big tree and hang him. Then they will come for his friends, others like us who would rather live the old way. They do not listen to what we say. They do not care. To them we are like rats. We are less than nothing. What they want is to see us removed from their world, and we cannot fight them."

He stepped toward the far side of the fire, the downslope looking west, and looked up into the unsettled clouds. No one spoke. Suddenly, he turned, facing them.

"But we must save the old Chief! They will spend their strength and their time searching for him until finally

when they grow weary and discouraged, they will go back to their fields and their families. We will commit no overt act, not even in the face of the most severe provocation. Let them try to find us. We will be as elusive as the fox . . . And do not forget, we have friends who do not like to see these posse-troops and who do not want the soldiers."

"Hah! Who have you seen help us?" asked the man called Foxie. "Do you mean the Indian Service and their chiefs in Washington?" There was derision in his voice, and one or two others laughed quietly.

"Yes, I do mean these people," Chupko replied heatedly. "I do not know them well, but many times I have talked with Marshal Jones and with Agent Cook and Agent Kelsey. I have seen them at our meetings, and so have you. Nor are they the only ones. Who do you think makes the white hotheads release those of us the posses bring to the jails? This is happening. I do not know who all these people are, but I say they are our friends! They are not aiming guns at us, that I know."

"Chupko, you are a fool!"

The speaker rose slowly and folded his arms across his chest. "If they—these people you say are our friends—if they do not shoot at us, it is only because they can get our land without getting blood on their hands! They will smile and shake your hand, but do not be deceived! They are only counting the days until they will be rid of you one way or another."

Foxie Harjochee strode to the edge of the clearing and returned rapidly. "Chitto Harjo knows this. He has talked with them in Washington, and after many meetings he has come to see that they lie. He sees that there is no sense to our struggle, because we cannot win. We cannot even hold for tomorrow what we yet have today. He is getting old, and now he is angry. That is why he bids us cease this foolish game, this idle dream of justice and a good life. Cease listening and talking! Cease hiding under the rocks and waiting for a new day that will never dawn! That is why he says, 'Shoot down these officers that impudently tramp

upon my land and seek to place me in their jailhouse!' He is calling to us to remember our grandfathers, remember who we are! Chitto Harjo has not forgotten, and when he bids us take up what weapons we have to reclaim what is ours, I say he is right!"

There was an immediate and enthusiastic response from several of those present, but opinion was clearly divided. The speaker, tall and slender, continued to stand as before, with hands in pockets.

"Do not call me a fool, Foxie," Chupko replied quietly. "The past is past. There is no life for any of us except that which comes tomorrow. And the white man will be here, just as he was back in Georgia. He will always be here, and in numbers that overwhelm us."

Standing before the fire, Chupko Yahola seemed part of the rock outcropping that sheltered the clearing. A bull of a man, he had almost no neck, and his short legs were pathetically bowed as a result of rickets during infancy and early childhood. His deep voice seemed amplified by his great chest, and all could hear, though he spoke softly.

"It is not as bad today as it was when you were a small boy, Foxie. I remember how it was then. As a nation we have suffered much, but you and I cannot hope to gain anything worth having by seeking revenge on those who are now in their graves. Our life is today and tomorrow and after that, and it will not be the life of our grandfathers. The world changes, and so must we, for it is the only world we have. Chitto knows this, and while he does not take the white man's road, you never heard him say we should kill the white man. You speak well, my friend, but do not listen to voices no one else can hear."

"Change if you can," Foxie Harjochee snorted contemptuously. "For me, I am the son of my father. I am that small boy you speak of. I grow, but I am the same person. I do not wish to change to accommodate the grasping ambitions of the white man. I remain who I am!"

"Enough!" Micksie Barnett cut short the argument. "This is not the time to debate the matter. What we must

do now is work together to help Chitto, and I think I know what we can do."

"You are right," Foxie abruptly conceded, picking up a wooden box and dragging it near the fire. He sat down and filled a corncob pipe. "I do not agree with Chupko, but we both want the same thing."

Chupko nodded and smiled. "Yes, we must not quarrel among ourselves. There is enough trouble to go around. But what is your plan, Micksie?"

Micksie turned up the collar of his well-worn suit coat that served as an overcoat, and stood with hands extended over the darting flames. While they waited, he placed more wood on the fire and stepped back a moment as evergreen needles popped, turned incandescent, and blackened. Then he outlined his plan.

"I think Chitto should forget the woman from Hickory. That's the first thing. I know she has done some healing, but he needs a real doctor. He has a bullet in him, and it must be taken out. It is not enough to pray. His wound is not a punishment for some sinful or misguided act. It is not an act of some powerful god that Chitto has displeased. The medicine woman has helped many, but I think they were people with sickness in their belly or their head or their heart. She knows how to use herbs, but she cannot make that piece of lead go away. She is not like a Seminole doctor. They have studied the human body, and they understand how its many parts function. The Seminole healers are real doctors. The woman from Hickory is a mystic."

The others listened and thought, and they nodded in silence. Even Foxie knew that Micksie was right. The old ways were not always the best. Micksie continued.

"You know Arina Kinf's place south of Deep Fork. Well, let us find Chitto and stay with him there one night. We can get some things he'll need, and we can maybe patch him up a little better. Then we should get him to a Seminole doctor. I have heard of two or three who are living down with the Choctaws. But we must work fast because hundreds of Army men will soon be looking for him, in addi-

tion to the sheriffs and every white man with a gun. Chupko and Foxie, you both see if you can find him. You *must* find him! Then get him to Arina's, if you have to carry him. But don't let yourselves be seen! You cannot help our Chief and old friend if you are in the Eufaula jail. Or dead."

He paused, but no one interrupted.

"Each of you take one man with you, but only one. Two can hide much better than three. If, the spirits forbid, you are captured, don't tell them anything! Others will get through and make the arrangements. While you're doing that, I'll visit Arina and get things ready, including food. I'll also try to find Green McKinney. He is said to be one of the best doctors in the Seminole Nation. Then, once we are organized and ready, we can move Chitto south of the Canadian, maybe to our Choctaw brothers. Chitto has an old friend down there."

He looked at Chupko and Foxie. "Of course," he added, "much will depend upon how bad he's hurt, what he wants to do, whether the Thompsons can get horses, whether the troops—but no matter. What do you think?"

"All right by me," Chupko rumbled as he arose. "I'd best go now."

"I'll go with you," Foxie said, taking up a rifle. He turned to one of the others and asked, "Tuffer, you want to come with us? We can split up later."

"Sure, I'll go."

"Jes' might be I'll go wif you too, huh, Chupko?" asked one of the Negroes in English.

"Come 'long, Big Jim. But don' bring no gun," Chupko answered in English. Big Jim was strong and quiet.

"I ain't got no gun, you know dat," Big Jim laughed.

"Pin, you want to come with me? I might need help finding a doctor," Micksie said to another of the Creeks. Without a word, one of the men sprang to his feet and joined the rest, already barely visible on the trail that wound steeply down the mountain.

The man remaining broke a dried branch and replen-

ished the fire. The opaque curtain enclosing the camp was instantly raised, revealing a wooded fringe of oak, walnut, and hickory, a thin ribbon of spring water trickling over great moss-covered boulders, and an assortment of squirrel bones and turkey feathers.

The firelight played fleetingly across the thin, pock-marked features of the man by the fire. He was a young Negro of very light complexion. His eyes shone fiercely as he snapped a small branch into small bits, kicked at a bough on the ground, and spat into the reaching flames. The meager moustache curled into a disdainful sneer, and he tossed his head, laughing without sound. He glared after Micksie and the others. They had said nothing, but he knew they despised him, and he was glad to return the compliment. Why should he, Willy Morris, risk his neck for a stupid old man? He, alone, had displayed courage when the white deputies came to Hickory. No one else had the stamina to stand up against Center and Beatty with anything more than hollow words. He knew he had acted well, but instead of being commended, he had been humiliated, subjected to scathing rebuke and virtual exile. No formal decision had yet been reached when the proceedings at the Chief's house were interrupted by the arrival of Frank Jones and his posse. But it was obvious that opinion was against him, and no full-blood had spoken to him since.

It amused him that they had taken away his gun. They said he was irresponsible and would cause trouble. He recalled their faces, their concern, their reluctance to discipline him. They had seemed embarrassed! Such weakness made him sick. It would serve them right if the old Chief's wound would prove to be fatal. It would expose the cowardly idiots that were in charge of tribal affairs and open other people's eyes to their need for the kind of leadership that he, Willy Morris, could provide. No white man would push him around! But neither would he grovel before a flock of dull-witted tribal elders! He could see their pious faces.

Abruptly he stood, opened his pants, and relieved himself. The scar on his cheek was etched in sharp relief in the firelight, and stifling a harsh, metallic laugh, he imagined before him the befuddled countenances of white sheriffs and full-blood *emarthlas*, the warrior chiefs of an earlier day. Sheriffs and full-bloods. They had always been in the way. Every disappointment, every failure could be traced to them. It had been the story of his life.

V

THE SEARCH FOR CRAZY SNAKE

Camp Hickory

Headlines in the Guthrie *Daily Leader* on Monday, March 29, 1909 were dramatic:

HOPE TO REACH FASTNESSES OF TIGER MOUNTAIN IN WHICH NATURAL STRONGHOLD THEY EXPECT TO MAKE FINAL STAND AGAINST DETERMINED PURSUERS—MUCH FIGHTING APPREHENDED BEFORE INDIANS ARE SUBDUED

The widely printed Associated Press report of the "uprising" had the Indians on the run. "Under the personal command of Chief Crazy Snake," they were planning a fight to the death. They were reported to have held a last-minute war dance in which Crazy Snake "arrayed himself in savage toggery." Some newspapers linked Chitto Harjo with the slain Sioux leader, Crazy Horse, and others told of the Seminole Nation's decision to join the fray. Within a day, eastern papers printed page-one stories of Chitto Harjo's capture, an event which never took place.

Sunday night, fires were sighted on Tiger Mountain and on Wells Mountain, and it was assumed that Crazy Snake was trying to organize his scattered forces and stir the Creek Nation into armed rebellion. A few Indians and Negroes surrendered without a struggle near Eufaula and Checotah. Some were pronounced innocent and released. Others were relieved of guns and knives, and jailed. Numerous groups of armed men were participating in the big roundup, but all they brought in were a few wretched strays.

The absence of Indians was generally accepted as evidence that the Chief's effort to mobilize for an organized stand was being met with success. Women and children still in the vicinity of Pierce were sent to visit friends in nearby towns. There was speculation that the Snake band

had broken up into small groups, each trying to escape, but such notions did not prevail. Armchair Indian fighters scratched at their whiskers and sagely observed that, in their experience, the Tiger and Wells Mountain signal fires were a sure sign of trouble.

When the trouble did not materialize during Monday, the newspapers invented an explanation for the delay. Full-length columns on page one of principal New York City papers on Tuesday, March 30 informed readers that Crazy Snake was having difficulty getting his Negro tribesmen to join him on the warpath. They were reported reluctant to obey commands and anxious to flee or give up. The Snake leader was adamant, however, declaring that "those who feared might go at once, but that all who had red hearts would stay by him." Then, the account went on, "to a man the Creeks expressed their intention of fighting the State's soldiers to the death." It was said that another war dance was staged, and that Crazy Snake, "one of the few blood-thirsty aborigines left," donned savage garb and thus put down the first internal threat to his leadership.

Early Monday morning, Major Herr and Captain Hunter established a base camp at Hickory. With a small detachment, they scouted the area and prepared for the arrival of additional troops. Herr returned to Henryetta later in the day to direct new arrivals to the base and to resume command of Company M. That night, he led his men to Camp Hickory where, without tents or blankets, they wearily lay down to rest about two o'clock Tuesday morning.

In the capital city of Guthrie,* General Frank Canton received an imperative telephone call from a man in Weleetka, twelve miles southwest of Henryetta, warning that three hundred greatly excited Negroes had left that town and were arming themselves a few miles away. As Canton suspected, the report was based on nothing but fear, which

*Moved to Oklahoma City in 1910.

casts unrelated facts and happenings into a mold of its own making. He assured his caller that his troops were in the field and everything was under control.

Squelching groundless and alarming rumors was as important to Canton as apprehending any Indians that might actually be causing the turmoil. His calm, sensible communiques probably did as much to compose several hundred worried wives and mothers as did the sound of hoofbeats and the rattle of firearms.

Monday evening, Bill Carr and Dead Center set out with a huge posse of more than one hundred men. They planned to sweep the countryside south and west of Eufaula and meet another group in Pierce Wednesday morning. On the swing south, some of their number would ride on to the Choctaw coal mining town of McAlester, twenty-eight miles from Eufaula, to pick up bloodhounds at the state prison. A reporter quoted Carr as saying, "We have been harassed by these Indians and Negroes until we have had our fill."* The editor of the *Checotah Inquirer* stated that Chitto Harjo "had better surrender to the militia if he surrenders at all. Our people are very much worked up over the killing of Deputy Sheriff Markey and City Marshal Baum. I would not insure his life if he were brought back here."**

At daybreak, Tuesday, March 30, Colonel Hoffman's immediate command of sixty-eight officers and men marched in the direction of Lenna, several miles southeast of Hickory and about twelve miles southeast of Henryetta. They had been issued forty rounds of ammunition and rations for twenty-four hours. Possemen were left behind, but Dickson Bynum and Fred Cook accompanied the troops in addition to two Creek guides, John Perryman, a former Snake, and Johnson Tiger, son of Moty Tiger, Principal Chief of the Creek Nation.

While troops under Hoffman and Lieutenant Colonel West searched the countryside around Lenna, reinforce-

**The Daily Oklahoman* (Oklahoma City), March 30.

***McAlester News-Capital*, March 29.

ments disembarked from trains at Henryetta. They proceeded without delay to Camp Hickory, where Captain Hunter already had questioned ten mixed-bloods suspected of being hostile Snake Indians. Early in the morning, Captain Frank Robertson, Signal Corps officer from Blackwell, set out for Hickory with three officers and twenty men, and a large supply of communications equipment. They were followed by Captain Frank Ben King with the engineer unit from Lawton, and commissary and hospital units under Captain A. L. Emory and Lieutenant F. J. Boland of Oklahoma City were not far behind. These were the first troops many newly-arrived Oklahomans had ever seen, and frequently they were cheered by girls waving their aprons and shouting words of encouragement.

While the Guard organized itself for the work at hand, the posses organized too. True to his word, Colonel Hoffman gave prompt orders that unless possemen held a special permit from J. W. Markey, they acted in violation of the law and would be arrested and jailed if they refused to lay down their weapons and go home. However, this timely discipline was largely unheeded, and the order was difficult to enforce. Before the civilian patrols could be brought under control, numerous atrocities were committed by irresponsible gunners, militant racists, and cruel youngsters. Lawless "posses" visited and broke into the unoccupied homes of Indians who had fled to the hills, and all too often the premises were ransacked and looted, while suitable targets were shot to pieces.

There also were numerous demonstrations of prejudice against the Negro. As Fred Cook wrote to Agent Kelsey, "whenever any Negro was seen who could be connected with this crime [the slaying of the two deputies] in any manner, if he attempted to get away or run, whether they knew who he was or not, they began shooting at him." Farm boys were known to have fired indiscriminately at Negroes, and black families had good reason to fear for their lives and property as long as the possemen were free to ride.

Late Tuesday afternoon, Hoffman and West completed their reconnaissance of the Lenna area. The main body of the detachment prepared to spend the night in their blankets, while the colonel, Bynum and Cook, and twenty men set out for Hickory. The ferry at McDonald's Crossing was laid up for repairs, so the khaki-clad Guardsmen had to ford the North Canadian. Water, still high from the recent rains, swirled into their supply wagons, and as they climbed up through a cut in the far bank, Bynum narrowly escaped serious injury. He was riding with Hoffman, when suddenly the team, slipping in deep mud, lunged forward to firm ground, and Bynum was catapulted from the wagon. Bruised but wiser, he resumed his seat without complaint.

They arrived at Hickory before midnight, exhausted and with aching bones and blistered feet, but they had done well when one considers that they had come into the wilderness directly from stores and offices and the comforts of home. When General Canton had been appointed Adjutant General in November of 1907, he had found nothing but a poorly equipped skeleton organization. Despite lack of interest on the part of the public and the state legislature, he drummed up enough support to reorganize the regiment and institute a program of weekly drill. Nevertheless, a forced march of thirty miles would do credit to seasoned troops, especially over the terrain around Henryetta and Checotah.

There were other mishaps in those first hours of the campaign. Superintendent J. Carter Dobbs returned briefly to review operations and get a first-hand account of Indian involvement. During the hours he spent reaching Hoffman, he sustained a twisted ankle when he, too, was rudely jolted from a wagon seat. Even the colonel discovered the fringe hazards of Indian warfare when his wagon struck a washout and lurched wildly, pitching him forward across the doubletree. He might well have been dragged or kicked to death, but he kept his wits and man-

aged to roll free, avoiding both flying hoofs and heavy wheels.

At Hickory, Hoffman found that he had guests. Fortunately, additional tents had come, and his visitors had retired for the night. They included representatives of the press and the Indian Service, and even top brass from Washington. Correspondents included Frederick S. Barde of the Guthrie *Daily Leader* and *Kansas City Star*, Evans A. Nash of *The Daily Oklahoman* (Oklahoma City), and C. H. Hagarty of the Associated Press. Agent Dana H. Kelsey had escorted Assistant Attorney General of the United States George W. Woodruff, who had been in Oklahoma City on other business and had hurried to Muskogee when he learned of the Indian disturbance.

At the Bijou Theater in Henryetta, Lieutenant Charles R. Gilmore and nineteen men waited for the second show to end so they could enter and settle themselves for the night. Most of Hoffman's citizen-soldiers were without tents that first night, and many lay on the ground with only a single blanket to keep out the raw cold. The temperature dropped to freezing, and huge log fires burned at Hickory and near Lenna, where units of the Guard spent a miserable night dreaming of an elusive old Indian and their warm beds back home.

Camp Tiger

The sun peeped over the Concharta Hills on Wednesday, March 31, and beheld one of the most intensive manhunts in the history of the nation. That is what the last Indian uprising had become—a first-class manhunt. All units of Colonel Roy V. Hoffman's strike force were in the field. The *San Francisco Chronicle* told the story under a banner headline:

**300 MILITIAMEN, COWBOYS AND DEPUTY
SHERIFFS REPORTED CLOSING ON CHITTO
HARJO**

An editorial in that newspaper likened the Snake Indians' predicament to the heroic stand at Thermopylae, where three hundred Spartans had died attempting to hold back the invading Persian army. Newspapers from Juneau to Panama and from Hoboken to Honolulu interpreted the Oklahoma Indian war. Chitto Harjo, a fiercely independent old man who could not read, sold newspapers the length and breadth of America.

There was no reliable information, however, as to where Crazy Snake might be. His signal fires had been sighted by night, and his signal smokes had been observed by day, but no one had located his encampments or seen his feathered legions silhouetted against the skyline. The main force was thought to be bivouacked between Deep Fork of the Canadian and the Canadian proper several miles east of Pierce, although it was also rumored that the crafty chieftain had boarded a train and was on his way to Washington. There, it was believed, he would confer with his attorneys and personally appeal to Congress to call off his tormentors and authorize the Creek people to return to the ancient ways.

Be that as it may, Hoffman lost no time in posting guards at North Canadian crossings and setting up a base of operations just west of Tiger Mountain. In honor of his able Creek guide and in view of the location, the colonel accepted the suggestion of a newspaper man, and named the advance base "Camp Tiger."

Hoffman's visitors at Hickory, with the exception of the reporters, had not accompanied the troops to Camp Tiger. The Assistant Attorney General went with Kelsey and Dobbs to Henryetta to board a train for Muskogee, and Fred Cook set out on a swing through his district. Dickson Bynum stayed at Hickory to talk with residents of the area and question prisoners in an effort to pick up additional information about Snake attitudes and activities.

That evening, Eastman Jones voluntarily gave himself up. He told Major Barrett he had stayed in the woods for

five days because he had heard that a three hundred dollar reward was offered for his arrest. He denied being present at the fight at Chitto Harjo's home and stoutly maintained he knew nothing of any Snake war plans or where the Snake leader had gone.

"Then why are we supposed to be offering three hundred dollars to the man who can catch you?" Bynum asked him.

Jones shrugged. "It were what I hear." Then he grinned, showing missing teeth. "Injun cost it plenty much bucks, ain't it?"

"Look, Mr. Jones, why did you surrender?"

"Posses get it much mean, shoot it quick soon. Ever' body him know Eastman Jones do nothin' bad, but possemens is shoot it much quick jussa same."

Eastman Jones was right. Indeed, the *Gotebo Gazette* observed that the "insurrection of the Crazy Snake band of Creek Indians . . . will have a tendency to help out the land question of the east side [of the state]. Dead Indian claims can be sold, you know."

A few more fugitives were rounded up by sundown. A detachment under Major Herr came in with three, and word was received that Sandy Tobler had been jailed in Eufaula. Tobler, a half-breed whose name had come up in connection with the shooting of Baum and Markey, had been arrested in Okmulgee, fourteen miles north of Henryetta. Hall Cartney and Abe Wagner, brought in for questioning about the burning of a house near Lenna, and Hayney Scott, another well-known Snake, joined eighty or more other suspects at the McIntosh County lockup. Most of those questioned were quickly released. The rest either had police records or were victims of generally bad reputations, and all were charged with disturbing the peace.

The day's activities ended with the return of the large posse under Dead Center and Bill Carr. Their ride all the way south to McAlester had been in vain, since they neither captured any Snake Indians nor obtained any bloodhounds from the state prison.

Johnson Tiger

Thursday morning, April 1, while Hoffman was having late breakfast in his tent at Camp Tiger, Captain Robertson, the signal officer, arrived from Camp Hickory. He gladly accepted the colonel's offer of bacon and eggs, and reported his attempt to establish telephone communication between the two camps.

"We got the equipment in all right, and strung our lines as soon as we got there, but during the night the lines were cut in five or six places."

"Lines cut! Is this an April Fool joke?"

"Several times. It's no joke. First we knew was this morning when we tried to raise you. Deader'n a doornail. We checked everything, but looked at the lines last, since we thought we did a good job of stringing."

"I'm sure you did a good job. But didn't you post a watch during the night?" Hoffman was not angry. In fact, he seemed amused.

"Charlie Barrett set up a watch at Hickory, but I'll admit we didn't try to police the whole line. We don't have too many men, you know, and I figured they all needed the sleep. I pushed 'em pretty hard on the march and in getting our stuff up." A roguish smile crinkled in the corners of his eyes. "Damned cold out there last night too."

"I know," Hoffman mused absent-mindedly. "Imagine, them cutting our lines. They must have been watching when you put them up." He smiled quickly. "This is one thing new to Indian fighting, Frank—telephones."

Robertson grinned. "Hello, operator, this is George Custer. I'd like to speak with General Sheridan. It's urgent!" He laughed. "Sure better'n smoke signals."

"But only if they don't cut your lines," Hoffman chided dryly.

"You know, Roy, there's something else that's new in the line of Indian fighting," the captain added. "It may not be true, but I heard that a posse out of Muskogee is all mounted on two of those little Maxwell runabouts. I know for a fact that an auto club is being organized in

Oklahoma City. Just people who own a gas buggy can join."

"I'll get one the day Crazy Snake does," the colonel remarked. "Then I'll trail him right up to the halls of Congress—or until one of us runs out of gas or gets a flat tire! But back to smoke signals. When can you have communications with this base in order?"

"By noon today or sooner. We've only got a mile or so left to check. There's still one break, maybe two."

"Well, I want to move fast from here on in. Old Snake can't be far away, and in spite of press reports and all the rumors we hear, I doubt if he's got any real fighting force with him. The quicker we can round 'em all up, the quicker we can go home." He chuckled, adding, "The annual regimental encampment isn't scheduled until summer, you know."

* * *

Colonel Hoffman and Captain Robertson had just finished breakfast when Lieutenant Highley pushed back the tent flap and peered in, clearing his throat politely.

"Roy, one of our guides has been in touch with farmers around here, and he's been filling me in on what's going on. I think you should hear some of this."

"Sure, Mont. I'd like to. You might as well get started, Frank."

"I'm off," Robertson said, as he passed through the tent opening.

Hoffman followed him outside where Johnson Tiger stood in a white shirt, ill-fitting but clean black suit, and a shabby coat neatly pinned where a button was missing. Long, graying hair and craggy features conveyed an impression of total integrity and a life of hard work. He did not look much like a scout for military forces engaged in operations against hostile Indians. His story was told in a few halting words.

"I hear Creek Injun was been shot by posse over to Wolf Creek. Him was hurt it bad, an' some boys—white boys—laugh it much an' drug it him to creek an' throw it in. He

dead now. Also, posse was shoot man was been name Preacher Henderson, an' he was died. I know this all was been true."

Hoffman's face stiffened perceptibly.

"I am very sorry to hear this," he said slowly. "Have the men been buried?"

"No. Today sometime."

The colonel lowered his eyes before the steady, imperturbable gaze. He felt a hot flush of anger. Then, searching for the right words, he looked up and said, "Mr. Tiger, I promise you I will do all I can to prevent anything like this from happening again. These people are frightened. They are doing things they will be ashamed of . . . We will talk with their families."

He gestured helplessly, humbled by his own inadequacy and conscious that he could find no words to express what he felt. Regaining his composure, he asked, "What else have you heard?"

"Injun boy is come to doctor man over to Brush Hill. He say it loud Chitto Harjo was been shot, need help. But him not come to town, for he bad scare. But him send it message to soldier chief. Him tell it order to posse no shoot Injun!"

Hoffman's eyes brightened as he listened carefully.

"Tell him we will guarantee him good treatment!" he said quickly. "When was this? How far is Brush Hill?" Not waiting for answers, he turned to Lieutenant Highley.

"Looks like we're onto something, Mont. May be the break we need."

Highley, who had already heard the complete story, said nothing.

"Brush Hill way off east from Pierce, maybe five, six mile," Johnson Tiger replied. "It were happen las' night. But boy was been gone before him tol' where Chitto Harjo was been stay."

There was a long silence.

"I see." Hoffman breathed deeply. "Did the doctor find out anything?"

"No. Him not know it where Chitto was go. I not know it for why boy him ran from away. Maybe him get it much scare. Injun man feel it much scare, an' him was been only boy."

Hoffman nodded dejectedly.

"At least this confirms my belief that we are on the right track," he commented. Then, turning to the lieutenant, he announced crisply, "We will proceed immediately. Take a look at this map."

He produced a pen-and-ink map showing principal towns, rivers, and roads in McIntosh, Okmulgee, and Muskogee Counties. Camp Hickory was plainly marked. He smoothed the paper and, indicating with a pencil, outlined a plan of action.

"Here is where we are now." He marked the location of Camp Tiger and, next to it, added lines like the spokes of a wheel. "That's Tiger Mountain. Now, Mr. Tiger, where would you say Brush Hill would be?"

The Indian studied the map, and Hoffman read off the names of several towns. Without hesitation, Tiger pointed to where Brush Hill ought to be, and the Colonel wrote it in. Then he handed the unfolded map to Highley.

"Call Major Barrett on the telephone and have him bring up the men from Henryetta. And you get us some saddle horses."

"Sure, Roy, but where—"

"It's all settled. I've talked with a banker in Henryetta, name's John Sullins, and he's arranging for us to have fifty. All you need to do is see him, and bring the animals back here. Herd 'em, of course, don't take men to ride 'em all. I can tell you, fifty mounted men will be far more effective out here than five hundred foot soldiers." He paused to light his pipe.

"And another thing, Mont. We've got to do everything possible to encourage these Creeks, Negroes included, to come out of hiding and go home. A lot is going to depend on their seeing that we give fair treatment to people brought in for questioning. I agree with the Indian Service

men. We should not think of the Indians as prisoners, not even the Snakes. We only want to ask them some questions, and send them on their way if they haven't given us reason to do otherwise."

"Right," the adjutant agreed. "When they see we don't hang 'em or throw 'em in jail, they should be willing enough to quit the woods and return home."

"What do you think, Mr. Tiger?" Hoffman asked.

"Maybe people is go it home if posses is too." He had been watching a chipmunk that had been watching them. And he wondered which of his old friends had been the Indian at Wolf Creek.

Hok-Du-Chee

That afternoon of Thursday, April 1, a ten-man posse set out from Fort Smith, on the Arkansas River, and another under the firebrand, Harrison Janes, roamed the country around Pierce. About three o'clock Janes' men spotted Abe Grayson in a hayfield. Grayson was leader of a small Negro faction of the Snake clan, and was considered by some to be the most dangerous man in the entire Creek Nation, next to Chitto Harjo himself. If Grayson had any chance of escape, it went up in smoke when Janes set the field afire. The Negro was captured unharmed and subsequently questioned by Sheriff Markey and Deputy Marshal Frank Jones. They instructed him to return home after he convincingly argued that he knew nothing about the whereabouts of either his chief or the Seminole, Charlie Coker.

"Even if he's lying," Jones said, "we'd be smarter to let him go than to tie him up until he talks. By then, the poor devil really wouldn't know where Snake is and could never be of any help to us."

About noon, Dickson Bynum drove his surrey into Camp Tiger and found the advance base all but deserted. The colonel was lathered and commencing to shave before a mirror hung on a tree, but most of his officers and men were combing the area circled on the map Hoffman had

given to Highley. The few that remained were preparing to march to the nearby village of Wildcat to investigate reported Negro disturbances. Hoffman seemed pleased to see the man from the Indian Bureau.

"Hello, Bynum! Welcome to Camp Tiger!" He dried his fingers on a towel, and they shook hands.

"Hello, Colonel. How's the war progreshing?" the tall man called, as he stepped down and tied his horse. "Looks like it's driving you into a lather."

Hoffman laughed. "To tell the truth, I haven't quite figured out the field of operations yet. Incidentally, I wouldn't admit that to just anybody."

"I'm honored," Bynum smiled. "Lotth of people can tell you where he ith, though. I don't know why it should take you to long to find out."

"Oh, really?"

"Sure. Just an hour ago, a man told me that Snake was now in Texas. Ten minutes before that, I learned that he had gone west to talk with the Comanches."

"Well, these people know more about it than I do," Hoffman sighed. "We don't have anything but the most general idea of where to look, but I am convinced he is not far from where we stand at this moment. We'll find him, and I think it'll be soon." He deftly guided a straight-edge razor over his unlined face and rinsed off in icy spring water.

"I'm sure you will. And the posses?"

The colonel frowned, remembering what Johnson Tiger had told him.

"I've got to depend upon Sheriff Markey and Marshal Jones for that. Trouble is, there are so doggone many rumors that the people stay stirred up, and the new posses replace those that get tired and quit." He led the way to his tent, and the two entered.

"Not like downtown, but do have a seat." Hoffman indicated the folding chairs flanking a long wooden table. He found a neatly pressed woolen fatigue shirt, and put it on as he asked, "You heard anything we haven't?"

"Don't know what you've heard," replied Bynum, sitting by the table and drawing an enormous pipe from his fleece-lined three-quarter length coat. "Commissioner Wright did tell me that the Commandant of the Department of Texas has notified General Canton that he can send a battalion from Fort Sam Houston if necessary. And Joe Miller, one of the owners of the 101 Ranch, has offered to send some of his cowboys to find Crazy Snake for you."

"Boy! You're just full of good news, aren't you!" Hoffman groaned. "I can just see Chitto Harjo paraded on stage in the one-and-only gen-you-ine '101 Wild West Show,' like Sitting Bull in Buffalo Bill's traveling circus. A side-show freak."

"I was sure you would like the idea. Changing the subject though, Roy, I've been told by people near Hickory that a good many Snakes have gone back to their homes as a result of your showing them that their lives are not in danger."

"Well now, that is good to hear! If enough of them will go back to their fields, it'll sure take the starch out of the damn posses. Guess you heard about an Indian preacher, man named Henderson, and also another man being killed. Johnson Tiger told me."

Bynum nodded soberly.

"And this man Janes. He burned Hickory, then one of Harjo's buildings, and now I hear he's been playing with matches again. Any real trouble? Have you heard?"

"You mean about capturing that fellow, Grayson?" Bynum asked. "No. In fact, Frank Jones told me he might have handled that situation the same way. He said that years ago he had burned down a log house being used as a hideout by a gang of rustlers. There had been a lot of shooting, and finally Frank pushed a wagonload of hay up against the front door, soaked it with coal oil, and set it on fire. He says it's been done so often there's a name for it. They call it a 'go-devil.' "

"That'd sure smoke 'em out in a hurry."

"I suppose it's justified, under the circumstances." Hoffman held out a pouch of tobacco. "Here, try some

of this. Holy mackerel! That's some pipe. Reminds me of our kitchen stove."

"The bigger the pipe, the longer it puffs," Bynum laughed. "It's especially useful when you're bumming. And on a windy day, the lid keeps the coals from blowing out."

He filled the great bowl and handed back the pouch.

"Say, Dickson, tell me something. I've heard mention of the Snake 'clan.' Is this a warrior society, like the Dog Soldiers of the Cheyenne and Arapaho?"

"No, not exactly," Bynum replied reflectively. "Among the Five Tribes, clans were secret societies, but I don't believe the Snakes were a clan, certainly not a warrior group. They do have a secret ritual, but I don't know much about it. They keep a sacred fire burning in some remote cave back in the hills. It has a spiritual significance, and is supposed to burn forever. The Snakes are more a political party. They are the conservatives, those who want to preserve the old way of life. The clans, on the other hand, were like fraternal orders. There used to be very strict clan laws, like no marriage between members of the same clan. I've read that the clans regulated daily social and business affairs."

"Well, would there be a 'family affairs' clan and another governing, say, 'business operations'?"

"Oh, no. The clans established a philosophy of life, an almost religious basis for segments of living. There was a Deer Clan, and Tiger, Beaver, Bird, and so forth. And Wind, the Wind Clan was one of the main ones. But I don't think that the Snakes are a clan. They are more like the extreme conservatives of tribal politics."

"This is interesting to me," Hoffman said. "And does the name 'Crazy Snake' have special significance for this political club?"

"I don't think so. The name 'Harjo' is a last name meaning very brave, even to the point of being reckless, sort of crazy. It's quite common. I don't know why they called him 'Chitto,' which means 'Snake.'"

"I feel sorry for the man," Hoffman said with feeling,

his eyes roving to the tent flap and the hills far beyond. "He has been shot by a high-powered bullet and must need medical attention, but he is afraid to go to a doctor. What a terrible thing! I'd like to help him, and at the same time prove to these Indians that law and justice are for them too. And there's something else. I'd like to show people in other parts of the country that here in Oklahoma we are civilized too. It may come as a surprise to Easterners reading some of the nonsense I hear is printed in the big city papers."

The two smoked for a time in silence, Bynum sending rings drifting into the still spring air. They stepped outside, and noticed half a dozen vultures sailing lazily over the valleys south of them.

"That's where most of my men are," the colonel remarked, nodding toward the majestically soaring birds. "I'll join them as soon as my horse gets here. Looks like the buzzards expect the troops to run into trouble," he added with wry humor. "On the other hand, their appearance in the spring is supposed to mean there will be no more frost, and that can't be anything but good news."

"You spoke of civilization, didn't you."

"I did?"

"Yes, I think so. I wonder if that isn't our problem."

"I don't follow you."

"Well, we speak of the Five Civilized Tribes, which includes the Creek Nation. But doesn't civilization depend upon what people hold to be of value?"

"Yes, I suppose it does."

"I mean, America is a land of the free, and yet we deprive civilized Indians of their freedom. I know the Indian question is very complex and legalistic, but what a man believes in—what he would fight and die for—that seems easy enough to understand. These ignorant Snakes—and that's certainly a relative term—*know* what they stand for. They know what is of absolutely prime, transcending importance in their lives. We may not agree with them, but I must say I admire some of what they do far more

than what some of our good white citizens do when they grab a shotgun and rush out to shoot a pathetic old man."

Hoffman nodded, poking a long pine needle at an obstruction in the stem of his pipe.

Again they lapsed into silence, watching the patient vultures, admiring the effortless artistry of these creatures that are so repulsive when seen up close. The circling wisps seemed to Bynum to symbolize the ugliness in life that is so often concealed by appearances. Viewed from a distance, all men may seem to behave nobly and from the highest motives, with no visible hint of bad faith, distrust, or dishonor.

"People forget that Indians are human beings," the colonel said. He brushed a speck of dust from his sleeve and, noticing the red mud caking on his boots, scraped it off with a strip of dried bark. The boots were new, but the rest was almost the same uniform he had worn during the Spanish-American War: canvas pants worn inside brown leggings, and a wide-brimmed Montana Peak campaign hat. The old blue shirt had been replaced by the newly adopted khaki, and the red bandana had gone by the boards.

"So we hunt them like animals." There was bitterness in Bynum's voice. "Small wonder they're hard to find."

That afternoon, Colonel Hoffman seemed to have a stroke of luck. Chitto Harjo's wife, Catsey Hola (Hok-Du-Chee), and his two daughters, Salina Jones and Salmi Jacobs, were located and brought to Camp Hickory. They were interrogated by Hoffman and Bynum with patience and sympathy, but it was soon evident that they could be of no help.

Through his interpreter, Johnson Tiger, Hoffman pleaded that the women aid Chitto Harjo by telling them where he was. Catsey Hola said they knew the phantom chief was hurt, but insisted they did not know his hiding place.

"Why have they done this?" she asked, her voice choked with emotion, her eyes brimming with tears. "He is not

young and strong any more, and his spirit has suffered these last years. He cannot regain his strength as he once could, and we fear this wound may be too much for him if he does not get help."

Hoffman asked them to try to find the Chief, and either persuade him to give himself up or inform the Indian Service of his whereabouts. The women said little, but seemed willing to believe that Chitto Harjo had nothing to fear from government authorities, civilian or military.

In his report to Governor Haskell on Thursday, Colonel Hoffman mentioned the Harjo women, and optimistically stated his belief that they would turn him over.

He was wrong.

Willy Morris

On Friday, April 2, Colonel Hoffman ordered the release of almost all remaining prisoners. Only a few possemen had not tired of their sport, and the danger they had represented to Snake Indians and Negroes largely subsided. More than ever, the hunt was centered less on the suspected killers of Baum and Markey than on the symbol of all contemporary Indian trouble—Crazy Snake. Increased public understanding of the real nature of the Snake "rebellion" was accompanied by an awakened sense of domestic responsibility. There was work to be done at home, and chasing after redskins became an unacceptable alternative for men otherwise gainfully employed.

About midmorning, Hoffman called a meeting of his officers, in order to summarize the situation as he saw it and outline his plans for continuing the search. Since two newspaper reporters were present, it was also an excellent opportunity to counteract some of the imaginative press accounts of recent days. Also present were Bynum and Frank Jones, who had come out the day before and stayed all night, but Sheriff Markey, who had joined them briefly the previous afternoon, had returned to his office the same day.

The meeting began with the colonel's announcement of his decision to cut down on the number of officers and men in the field.

"Gentlemen, I have it on good authority that the so-called 'Smoked Meat Rebellion' is over, even if Jess Beatty never did get his bacon back." There was laughter, and he went on. "As a matter of fact, I received a letter this morning from General Canton, and have been ordered to reduce the size of our force as soon as I think this can be done. As you know, most of the posses have called it a day, and I can tell you that the Snake Indians are definitely not a military threat."

"Colonel," asked one of the reporters, "is that because you can't find them?" There were smiles, but no one laughed.

"No. It's because the Indians are not organized to fight. They have no fighting force, no battle plan, no strategy for rallying other tribes or attacking the towns. We are looking for Crazy Snake now, him and one or two others, and we will stay on the job until we find them."

He paused, but there were no further questions.

"But we don't need five companies, and I know some of you are particularly anxious to get home. Major Barrett is now skirmishing this way from Camp Hickory with all his men. They'll be out all night. Colonel West is mopping up the valleys and ravines between Lenna and the South Canadian. If neither of them finds anything, I think we can be pretty sure that Harjo is still in this immediate area. There are a thousand places for him to hide, plenty of people willing to help him stay out of sight. It's just a matter of time."

The colonel inquired of Captain Robertson whether telephone connection had been established between Hickory and Henryetta and between Hickory and Tiger.

"Yes, sir. Talked with Hickory only twenty minutes ago. Came through loud and clear. And the lines are up between there and Henry. Well, they *were* up. They were cut to pieces last night over a stretch of about two hundred

yards. We had a patrol out, but they didn't see anything unusual. We'll have it fixed by late this afternoon."

"Okay, but stay with it, and watch those lines at night, especially between Hickory and Henryetta. We've left all our heavy gear at Hickory, and I want to move out of Tiger before long." He noticed the reporters were taking notes.

"By the way, Frank," Hoffman said to Captain King, "what's this I hear about you riding hell-bent after Crazy Snake?" The reporters looked up. "Is it true," Hoffman continued, "that his great white stallion just galloped right over the trees and into the clouds?"

The officers laughed, and Frank King, flushing with mild embarrassment, staunchly defended himself.

"Damn near caught him too! Fact is, he sure could ride. He did have a mostly white horse, and I swear he went through the brush and trees like a grizzly bear. I was gaining on him long's he stayed on the road or on flat land, but when he took to the timber—hell, I couldn't no more follow him than a deer!"

"Do you know who he was?" asked the colonel.

"No. Wouldn't stop when I hailed him, and when I started gaining on him, he really lit out. I figured to ask him some questions, but I just never seemed to get to it."

He grinned, and the men laughed again.

The bright sun was becoming warm, with only a slight breeze stirring the air. Colonel Hoffman took off a light field jacket and hung it over a tree limb. Then, taking a folded sheet of note paper from his pocket, he returned to the subject of the briefing.

"Tomorrow morning we'll send home twenty men and the following four officers: Lieutenant Highley, Captain Stinson, Lieutenant Foster, and Captain Alley. Other officers will go back in a day or two, including Colonel West. Names of everyone scheduled to return in the morning are on this sheet, which we'll post where you can look it over. If anyone has special reasons for wanting to get back soon and he's not on the list, see me about it. Any questions?"

"I have one," said the reporter who had not yet spoken. "Is it true that you have engaged the services of another Creek Indian guide?"

"Yes. His name is Sam Haynes. He is a former Indian policeman and captain of a lighthorse company. He is now the Chairman of the House of Kings of the Creek Nation."

"Thank you. I have one more question. Why are the Snakes so upset about allotment of land? They get 160 acres, don't they? That seems pretty good."

"Well, they don't like the idea of dividing up the land and having people claim to *own* it," Hoffman replied. "The traditional Indian view was that the land was here to be used for whatever purpose people needed it. You could live on it, eat off it. You used it, but you didn't own it. It was owned by God, and no individual would be so presumptuous as to fence off a corner of the earth and call it his own private property. Right, Dickson?"

"Right. A man could use the land, cooperate with it, defend it, but it was absurd to think he could take title. And when he died, the land he had lived on and hunted on and plowed up for his fields did not disappear. It remained for others to use."

"But I've seen Indians fence their land."

"Yes," replied Bynum, "but that has only been in recent years as the land became more and more identified with families that lived on it, and as the Indians had to adopt the customs of their white neighbors. But even so, the Indian, who seemed to own the land, did not hold title in fee simple. And he didn't want to. He might give his house away, say to his son, or his son might inherit the house if the old man died, but still there was no legal ownership. Among these people, a bill of sale is as good as a deed."

* * *

Thursday night, a kerosene lamp had burned late in the one-room home of Sam Baird, a Creek full-blood who farmed a few acres below the northeast slope of Tiger Mountain. He had chosen for his house a sheltered pocket,

nestled halfway up the hill in a blackjack woods spiced with varieties of oak, bitternut hickory, white ash, and black walnut. The cabin was built of post oak logs, well-hewn and tightly chinked with oak slivers and clay. The log ends had been cut off at the corners, a laborious task with no reward save a better appearance.

The roof had five rows of thick shakes cut from straight-grained burr oak, and along the east wall was a fireplace and chimney made of stones carefully selected for their regular shape and thoroughly daubed with clay. The door was fashioned of split oak, and a leather thong hung through the latch hole, a welcome sign to anyone who might stop by.

Inside, several men huddled near a wood stove in the dark end of the room. The fire had all but died in the fireplace, and a woman had just wrapped a shawl over her shoulders and gone out for wood. Some of the men had been among those encamped on the west side of the mountain Sunday night. Chupko Yahola spoke quietly in the Muskogee language.

"What will you do with the coat, Sam?" He nodded toward the black overcoat hanging by the door.

"I don't know. Bury it, I guess. We could mend it, but we can't wash the stain out. It would be wrong for anyone to wear it."

"Well, whatever you do, it better be soon. The soldiers are camped near here and seem to be getting ready to move west rather than south. This would mean Chitto has a better chance of escaping, but they might come around asking questions too. Have they been here at all yet?"

"No. This house is hard to see until you are almost inside. I know they are still about, though. Today I have seen soldiers with horses. They will come here sooner or later."

"Why not burn the coat or throw it in the woods someplace?" asked Micksie Barnett, who was seated on a wooden crate. "No," he changed his mind, "we shouldn't throw it in the woods. Dogs would surely drag it out. But we could burn it."

"Yes," Chupko agreed, "we could burn it in a good hot fire. Or bury it near the house where the ground is soft."

"All the ground will be soft before long," Micksie remarked. "it was starting to rain when I came up the path."

"I'll bet Chitto wishes he had it with him," said Chupko.

"Yes, but it was too heavy," replied Sam Baird. "Charlie Coker thought he'd never make it with so much weight to carry. Now he's got a good jacket that Micksie gave him. It has a warm lining but isn't so heavy and bundlesome. He is quite weak, you know."

"Where's he goin'?" asked a mixed-blood Negro lying on a blanket on the pine floor. He had been present at the meeting Sunday night. He, alone, spoke English.

"Not many know," replied Chupko. It was the first time he had spoken to Willy Morris since Morris's flagrant violation of one of the cardinal provisions of the unwritten Snake code. No matter how abusive the whites became, no Snake would resort to physical force unless it was in self-defence. Morris's reckless display of arrogance when confronted by Dead Center and Jess Beatty had precipitated the tragic shootings and had resulted in the present state of affairs.

"It is a secret that will be kept," he went on. Events seemed to have transcended established patterns of behavior, and maintaining the ostracism of Willy Morris suddenly seemed pointless. Besides, the man refused to behave honorably. He would be dealt with in good time.

"Do *you* know?" Morris persisted. He hated Chupko and his smooth ways. The man had no real leadership qualities, only a limitless capacity for stupidity and for acting as though he were Principal Chief.

"As I said," Chupko replied evenly, "not many know. It is best that way. Only pray that he gets there. We will say no more about where he is going. If all goes well, he will be back among us in a few weeks or months."

"He's prob'ly goin' down to stay with the Chocs for a spell. You said so yourse'f, Micksie."

There was no response.

"What if the old goat dies?" There was a shocking

sneer in the half-breed's voice. Be the best thing could happen, he thought to himself. With these old idiots out of the picture, younger, progressive leadership could cash in on the changes the United States government was demanding, and could make easy money on land sales.

"Do not speak of such a thing!" Chupko rose to his feet and stepped toward the light-skinned figure, whose scarred face had an unnatural pallor in the dim lamp-light.

"And do not speak of him that way! He is not what you and I will be one day—merely old men. He was a great man in the Creek Nation, a man who was unafraid in the darkness of our time. He still is. He could have been Principal Chief if he had been willing to say what he did not believe. Without him, without his spirit, we are a dying people whose strength is less with each rising sun. Where will you be tomorrow without a leader to take Chitto Harjo's place? What will you do?"

"Okay, okay," the younger man growled. "You don't have to make a speech. I did not know he was God."

The derisive barb hit home and it stung. There was a tense silence.

"Get on your feet and leave this house!" Sam Baird said, his voice, almost a whisper, trembling with emotion.

Morris seemed to cower on the floor, although his face, barely discernible, bore a malevolent smirk.

"You heard him! *Get out!*" roared Chupko. The burly full-blood jabbed with his foot at the man on the floor, who recoiled, leaped to his feet, and darted behind the table. He hesitated a moment, then slowly circled toward Chupko, the dull light reflecting from the whites of his eyes, and the blade in his hand.

"You don't kick me, Chupko," he hissed menacingly. "You damn fool old man. You don't kick at Willy Morris!"

The other men had jumped to their feet, and now, seeing the gleaming knife, they stepped away from the light into the dark perimeter of the room. Morris crouched close to

the log wall, arms outstretched. Perspiration glistened on a distorted, pale gray mask with two glints of light and two full rows of teeth protruding evenly like oversized dentures. For twenty seconds no one moved.

"Come on," invited the full-blood in a low, mocking voice. "Come on with your big knife. And your brave heart. And your big mouth. And your head full of pig's brains!"

The words were hurled with calculated effect, and the result was explosive. With the enraged snarl of a wild beast, Morris sprang clear of the table and hurled the knife, all in one motion. It sank deep into the window frame only an inch from Chupko's shoulder.

The older man seemed surprised by the sudden action, and he stood confused, knowing the knife had narrowly missed him. Mrs. Baird shouted from the doorway, her armful of stove wood clattering to the floor, as the half-breed screamed savagely and dived headlong at Chupko.

The two men fell together toward a corner, overturning chairs and rolling to the center of the room. Nimbly, Morris rolled over again and into a crouching position. Chupko had barely regained his footing when the younger man came at him with a chunk of wood picked up from the floor. Then, as abruptly as it had started, the struggle was over. Chupko stood breathing heavily over the inert form at his feet.

"Get up!" he ordered quietly.

Sullenly the Negro obeyed, cringing before the man whose powerful hand had caught him in mid-air and, within a split second, struck him to the floor with vicious fury.

"Leave this house now . . . and do not ever . . . do not ever again speak of Chitto Harjo . . . He has not even heard of you."

Stumbling over the firewood, Morris hurried toward the open door, his hand dabbing at a growing trickle of blood over his eye. He paused to retrieve his knife and put on his threadbare coat, and in the semi-darkness no one noticed

him also remove the coat hanging by the door before he vanished into the night.

"You all right?" Baird inquired anxiously.

"Yes. He hardly touched me," Chupko replied, still breathing hard. Then, turning to Micksie, he said, "We'd better go. It's getting late."

"You are going to Chitto?" asked Mrs. Baird.

"Yes. Foxie has found him. Micksie and I will meet him tonight and stay with him for a time. He has been hurt."

"Here, then." She took a small bundle from a cabinet in the kitchen end of the room, and handed it to Chupko.

"Give this to him. He may not be eating enough, and he must regain his strength."

"He will like this."

"Will you come back tonight?" Sam Baird asked.

"No. He has seen a Seminole doctor, Green McKinney, and been bandaged. He should stay under McKinney's care, but we cannot risk it. And, anyway, he refuses. We will help him get across the South Canadian to where the Thompson brothers will have horses. It would be better to have the horses along the north bank and ride across, but the chance of being seen is too great, and the river may be too high. You must say nothing of what I have told you."

"How far will you go?" Baird asked. "Or perhaps I should not ask."

"It is best if you do not know, my friend. The troopers will surely question you."

"Yes, I suppose you are right. Are you sure there is nothing I can do? I have a blanket you can take."

"You have already been of very great help." He rested a hand on the older man's shoulder. "But yes, there is one more thing you can do. We need a raft."

Baird quickly agreed to make a raft and float it to a specified crossing point.

"Be sure you are not seen," Chupko concluded, "and take care of yourself."

Chupko and Micksie had started down the trail when Sam Baird called quietly.

"Wait! Wasn't Willy Morris with you when the plans were made?"

"Yes. He heard everything. You heard what he said about staying with the Choctaws. But I don't think he knows any of the details."

"He is spiteful and vengeful, full of hate. We cannot trust him. I think you must be very careful. He may even be watching us now."

"I know, Sam. But it is too late to change our plans. We shall be careful, and he can see little at night."

"All right, but *you* be especially watchful."

Chupko squeezed Sam's arm. "We will see you in a few days."

Then he and Micksie stepped back into the darkness and were gone.

* * *

Adjutant General Frank Canton issued a press release on April 1 in which he reported that conditions in the Creek country were greatly improved and the National Guard had the situation well in hand. He promised, however, that if things did get worse, he would call out the remainder of the First Regiment and lead the troops himself. He spoke critically of exaggerated press reporting, but concluded by declaring, "The fact is not altered that the Snakes are a dangerous lot and should at this time be suppressed once and for all."

In his All Fool's Day report to the Governor, Colonel Hoffman advised that "officers and men have been living in dog tents and on field rations, and have stood the work well; they are in excellent condition." He said that he considered the capture of Crazy Snake and his band to be "soon and certain," and reported that "peace, order, and quiet have practically been restored."

The Secretary of the Interior, Richard A. Ballenger, issued a statement declaring that the state of Oklahoma could handle the situation and that no federal military intervention was necessary. This was emphasized again in Agent Dana Kelsey's four-page letter to Robert G. Val-

entire, Acting Commissioner of Indian Affairs in Washington. Kelsey believed the entire incident was due to unfounded rumors and grossly distorted reports by supposedly reliable sources. When Governor Haskell telephoned him to ask if he thought a reward should be offered for information leading to the capture of Crazy Snake, Kelsey had replied decisively in the negative, saying, "In my opinion, that would encourage a wild free-for-all and stir things up to the point where we'd have to call for Federal assistance." A plan to post reward notices printed in both Creek and English was dropped, and the curtain began closing on the first and most dramatic scenes of what a Muskogee newspaper called the "Smoked Meat Rebellion."*

* * *

As the shadows lengthened in the late afternoon of Friday, April 2, the second column of the skirmish line advancing from Camp Hickory arrived at Tiger, the first having come in during the morning. Soaked much of the day by light intermittent rain, the weary militiamen coaxed small fires into life and sank to the wet ground for whatever rest they could get. Major Barrett reported to Hoffman outside the colonel's tent.

"No dice, Roy. We sure worked, but didn't find a solitary thing."

"Neither patrol?"

"Neither one. We questioned every living soul. I'm convinced that Snake has skipped out and these folks haven't the vaguest notion where he's at."

"You might be right. Chuck West drew a blank too and so did Fred Hunter. Personally, I still think he's holed up somewhere not far from here. Assuming he's hurt, and the evidence leaves little doubt of that."

The chill drizzle had stopped, and the officers worked their way out of clinging rain gear and muck-covered boots. The colonel picked up a handful of small stones

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and pitched them one at a time at a grotesque snag momentarily bathed in foolish splendor as clouds in the west melted before the richly burnished atmosphere of sunset.

"Dammit!" Hoffman smashed a fist against a saddle astride a fallen cedar pole. "We just haven't looked in the right place. Well, at least everyone can ride from here on, now that Highley's brought up the horses."

"Where will you look next?" asked Bynum.

"West and a bit north. If we don't find him then, I may be ready to concede that I'm wrong and he's gone. Maybe to Mexico as some are saying, or even Canada, but that seems very unlikely."

"I heard about you crossing North Fork," Charlie Barrett ventured, changing the subject.

"That will be in the papers too, you can bet on it," Hoffman said in exasperated good humor. "I guess it's kind of funny now, but I can tell you we didn't laugh a lot at the time."

"Well, was it like I heard? You ran into quicksand?"

"I'll say we did! We were about halfway across what they call Arbecka Crossing at old North Fork Town when my horse got stuck." He smiled and shook his head. "I mean he was really stuck. River was pretty well up, but we seemed to be on a sand bar, and I dismounted. That was a mistake. Over my ankles before you could say Jack Robinson. Stuff oozed up over my boots and I started to sink. Couldn't pull my feet out with nothing to hang onto. Captain King was near me, and he almost got caught. Then Fred Cook came back after me. He rides a little Indian pony, swam most of the way without touching bottom. He grabbed my horse's bridle and forced its head into the water. When the animal got water in his ears, he r'ared up and lunged ahead and broke loose. I latched onto his tail and hung on for dear life, and I broke loose too."

The men listening enjoyed the story, some recalling the mishap, others imagining. The colonel grinned, massaging the back of his reddening neck.

"Well," he remarked wistfully, "you don't stand on ceremony when you're knee-deep in quicksand. If Cook hadn't 've come back, damned if I don't think I would have drowned."

"Maybe that's where Chitto Harjo is," Bynum suggested quietly. He had been with Hoffman much of the time, although not during the river crossing. "Maybe he's tried to cross where he wouldn't be seen, and in his weakened condition and with the water high, he just couldn't make it."

The colonel shook his head.

"I doubt it. He knows these streams, and so do the men who would have been with him. No, I think we'll find him within a few miles of Hickory. We know he's not around here."

* * *

The endless speculation was interrupted when two men approached in a surrey. Fred Cook held the reins, and beside him sat a black man dressed in a black felt hat and overcoat.

"Who's that fellow?" Hoffman asked, shading his eyes and squinting into the setting sun. "He's not one of our guides."

"I don't know," Bynum replied, as they were joined by a number of men whose curiosity had overcome their weariness. As the rig came to a stop, Colonel Hoffman called to the driver.

"Hello, Fred! What brings you to Ye Olde Camp Tiger?"

"Hi, Roy, Dickson. Fella knows something about Crazy Snake. You in'erested?"

"Dern tootin' I am! Get down and let's hear the story!"

They jumped to the ground, and Cook introduced a young mixed-blood Negro with a thin moustache.

"Colonel, this here's Willy Morris. He was at the Hickory Ground fight and was questioned by Frank Jones. Frank let 'im go, but now he may have something that can put us on the right trail."

"Willy Morris, eh?" Hoffman's experience of the last several days had cautioned him about unquestioning acceptance of each new scrap of evidence. Even so, there was excitement in his eyes and anticipation in his voice. "You know this man, Mr. Cook?"

"No, I don't, but I think I know who his father was, although I can't be sure. Man was killed in a gunfight over in Okmulgee two or three years ago. Pretty much a no-account, spent a lot of time in jail. But like I say, I can't be sure, and I didn't know Willy until he showed up today."

"All right, Willy Morris. What is it you want to tell me?" Hoffman asked. His manner was friendly, but not unreserved.

The man seemed hesitant.

"Go ahead," Cook prompted. "Tell the Colonel the same thing you told me."

Morris pointed to the right side of the coat he was wearing and said, "This Chitto Harjo's blood!"

The words were electrifying.

"Wh-what? How do you know?" Hoffman stammered.

"Hey, there's sure 'nuff a stain there!" exclaimed one of the soldiers, as others hurried to see what the excitement was all about.

"It does look like blood," the colonel muttered, as he and Bynum took a closer look. Bynum put his forefinger through a small hole in the area of the stain.

"Could be a bullet hole, Roy."

"Where did you get this coat?" Hoffman asked sharply.

"Sam Baird gave me coat. It belong Chitto Harjo, man you call Crazy Snake."

"Where did Sam Baird get it?"

"From Chitto Harjo. He stopped to Sam Baird's house. They hide him someplace." The Snake Negro shuffled uneasily. He did not like being questioned, and glanced about nervously, half-expecting to be taken prisoner.

"Fred, you know this man Baird?" the colonel asked.

"Sure. He's a fine man and a hard worker. Full-blood."

"When was Harjo at Baird's house?" Hoffman demanded, turning again to Willy Morris.

"Two, maybe three days back. I was not there, but coat belong to Chitto Harjo."

"Wait here, Willy," Hoffman directed, as he asked Cook and Bynum to join him inside the tent.

"Fred, is he telling the truth? He doesn't seem trustworthy to me. But the coat looks authentic."

"I don't know. It's hard to say, but I think he believes it's the Chief's coat."

"Uh-huh. But why is he telling us about it? What's in it for him?"

"Damned if I know. Maybe he just wants to cooperate. He's no more than half-Indian, you know. Might not see things the way the Snakes do."

"But even so," Bynum objected, "this is about as treasonable as a Snake could get. It's one thing to see things differently, but this is almost like turning Chitto in."

"Another thing," Hoffman added, lowering his voice, "did you notice the bruise over his eye? Looks like he's been in a fight."

Suddenly someone shouted, as Willy Morris broke and ran, leaping across a supply locker and heading for a low wooded ridge and, beyond that, a steep slope that fell away toward the broad valley to the west. They called for him to stop, but he only ran faster until he hurtled himself past the ridge and out of sight.

"You want us to get him, Colonel?" called Major Barrett.

"No. We've heard his story and we've got the coat."

Turning to his guests, he said tersely, "Let's take your rig, Fred. Come along, Dickson, we'll pick up Johnson Tiger and then have a talk with Sam Baird!"

* * *

Sam Baird was not surprised to see his visitors. The coat had been missed soon after Chupko had ordered Morris out of the house. Baird recognized Cook as an old

friend, and only two or three hours earlier he had met Captain Hunter, who now accompanied Hoffman. He and Hunter had been unable to converse, but he felt no uneasiness now as he led Hoffman, Cook, Bynum, and the captain into his home.

"Sam," Cook began in broken Muskogee, "you know that we have been looking for Chitto."

The Indian nodded gravely.

"You know that if Colonel Hoffman or the Indian Service can find him he will not be harmed."

"Yes, I believe you. He would be safe with you or the soldiers. I saw your Captain Hunter, who I see you have brought with you. He seems like a fine young man, and with such a name, he should do very well." Baird smiled slightly, as Tiger translated.

"But we want to help him, not hunt him," Fred Cook continued. His respect for the old man was evident, as he moved toward him and looked into his serene but strong features.

"Sam, he has been here, hasn't he?"

The Indian shook his head.

"But you know where he is."

Again the Indian shook his head.

"Sam. You must help him! Have you seen him?"

Baird breathed deeply and hesitated, then nodded almost imperceptibly. "He was near here, but not long."

"When?"

"Two days ago." Actually, it had been hours.

"Was he hurt?"

"Yes. In his leg." Baird indicated his hip.

"Where is he now, Sam?"

The Indian looked at Cook and smiled. It was a friendly smile that seemed also to express relief. Chupko had been wise. "I don't know," he answered in English. He spread his hands and repeated the words. "I don't know."

"Please, for his own good, tell us where he is," Cook implored.

"I don't know, my friend. I glad I was not know."

He continued in his native tongue, speaking slowly so that Cook could understand. "I hear Coker has gone to his people, but Chitto . . . all I can tell you is he is gone from here and maybe I will not see him again. I hope I will, but he is gone, and I do not know where or how long." Then his mind seemed to forget the trials of the present, and drifted briefly back to another world, another life, a time when old men were honored, and living was relatively uncomplicated by the laws and guns of the white man. Dawes Commission people, lawyers in Washington, sheriffs, agents, soldiers . . .

"Tell him that if he does not tell us, I may have to offer a reward," Hoffman interjected. "And that will mean posses combing every foot of these hills until they drag him out!"

Johnson Tiger translated, and Mr. Baird looked at the army man, but said nothing.

"Of course, I don't want to do that," the colonel added quickly, wishing he hadn't said it. "Tell him that. I don't expect to, but I need his help if we are to help his friend."

"I was not can help you, Colonel Hoffman," Baird stated politely but firmly in uncertain English. "No Injun was can help you."

"I hope you are helping Chitto Harjo." Hoffman tried not to show the irritation he felt. The Indian's attitude was gentlemanly enough, but it seemed to challenge his own sincerity. He was unaccustomed to being doubted, and found it maddening. He would prefer that Baird display open hostility rather than patient good will that questioned Hoffman's own integrity.

"Someone better be," he continued, "or maybe you *won't* see him again! And I can't do anything about it. He needs a doctor and he needs a lawyer. We can get him to a hospital and protect him from people who will shoot him or hang him if they find him. Does he understand this, Fred?"

He waited for the translation. It was infuriating the way the Indian just continued to look at him without the

slightest change of expression or glimmer of emotion.

Finally, Sam Baird answered, through the translator. "I understand. I hear you and I know you speak truth. But there is much we do not understand, much the white man does that is not the act of a friend. This has been so as long as I can remember. It makes our life hard. My people do not wish to have trouble with white people, but they will not leave us alone. You want Chitto Harjo. Plenty people want him now, and if he lives, then your courts will want him. Why have you not put dogs out after him?"

The quiet scorn angered the colonel. It had not been his troopers who actually had tried to get bloodhounds for the hunt.

"What has Chitto done?" Baird went on, his voice low, with no trace of bitterness or malice. "Which of your laws has he broken? Did he shoot somebody or steal his hog? Why do so many men hunt him? How is it you can help him by finding him?"

"All right," the officer replied with unconcealed annoyance, "don't tell us where he is. Maybe his wife will come and thank you for that if he dies."

Sam shook his head in patient determination, his long hair brushing softly across his square but narrow shoulders. "If he dies, it will be because deputies came to his house and shot him."

Colonel Hoffman stepped toward the door, and the others followed. Fred Cook and Baird briefly shook hands without smiling. Then, the three white men and Johnson Tiger walked in silence up the dark, dripping trail that led to the road.

* * *

Corn planting had been delayed at least a week and fields neglected several weeks, when the *Muskogee Phoenix* observed that thus far the net result of all the "pyrotechnics" was eighty-six peaceable prisoners. With a satisfied smile on his face, the elusive "Colonel C. Snake" was reported to be still at large, while the state militia under Roy Hoffman, "the St. Patrick of Oklahoma," got some

excellent practice in marching, scouting, and camp detail.

Hoffman abandoned Camp Tiger, and on Sunday, April 4, his troops scoured the Canadian River bottoms southwest of Henryetta. Two more Creek Indians joined the troops for a time, but in a few days Hoffman dismissed them along with the other guides and interpreters. Four Snakes were captured near Clearview when a posse cornered them in a house, shot out the windows, and threatened to burn the building.

That afternoon, the unmounted militia units trudged back to Hickory in a steady, chill rain. A dismal gray sky held no promise of relief, and with every mile the damp red earth thickened into oozing clay that stuck to heavy boots and made roads all but impassable. The exhausted and disheartened men marched in dejected disorder, their Springfields and Krag-Jorgensons weighing a ton. No pretty girls called encouragement now. Instead, the few hardy souls who braved the weather called embarrassing questions about the success of the campaign. Did they have Crazy Snake? Why not? How much longer would it take? Had anybody been scalped yet? They even heard a small boy volunteer to help "when my Daddy says I'm old enough."

It was after dark when they stumbled into Camp Hickory. The horse units were already there, and the latest arrivals were grateful that Captain A. L. Emory, commissary officer, had hot stew and fresh baking powder biscuits waiting for them. All eighty-five officers and men still in the field had dog tents, and they lost no time shedding foul weather paraphernalia and crawling between their blankets. Soon the entire command lay listening to the melancholy tattoo of rain on taut canvas.

* * *

Two men on watch sat beneath a huge white oak, staring into a fire that sputtered uncertainly. They draped a tarpaulin over their heads and smoked a cigarette or two without speaking. One yawned wearily and so did the other.

"Shit!"

The younger of the two spat toward the fire and drained collecting water off the tarp. They huddled motionless for several more minutes as the rain increased. A broadening puddle inched toward them, and they hunched back against the drenched tree. The downpour slackened momentarily, and there was no sound save the rain.

The younger man spoke again.

"I'll tear out an' git the fire goin' agin'. It's gettin' colder."

"I'll go with you. My hands're damn near froze."

They threw the canvas aside and lurched forward, slipping and sliding in the slimy mud. They stirred the dulling coals into reluctant flame and piled on more wood. Suddenly, the rain burst upon them again, and they scurried back to the relative shelter of the great oak, turned up their collars, and huddled cross-legged under the now leaking tarp.

"What a helluva way to celebrate a birthday," grumbled the younger man, as he wiped rainwater from his short moustache.

"No foolin'? This your birthday?"

"Yeah."

"If I'd a known, I'd of baked you a cake."

"Thanks, buddy."

"With candles . . . Y'know, you shoulda waited to be born in decent weather."

"Yeah."

"Be a right good day fer ducks."

"Reckon it would, on'y I ain't no goddam duck."

"You ever hunt 'em?"

"On'y oncet. It was a day like this, and I ain't been since."

"I recollect' some years back, the ducks was so thick you'd 've thought it was fixin' t' storm, the sky got so dark. We was up near Hitchita along Deep Fork. The river had overflowed the swampy parts, an' they was pecans an' acorns an' walnuts floatin' ever'where. Heck of a lot of nuts that year."

"Includin' you, if yuh ast me."

"I mean, the ducks come in from all around, mallards, canvasbacks, and teals. It uz cold—December it was—an' I recollect' keepin' warm jus' by aimin' an' shootin' an' collectin' the ducks. They was a million of 'em! Maybe you don't believe me, but there had to be that many. We killed more'n two hunderd the first day on Grassy Lake alone! Ask Bateman or Jones. They was out that year, an' they'll tell you the same thing. Ever'body in the county was eatin' duck. That was in '04 I think. Back in territory days . . . Don't never see ducks like that any more."

"I cain't stand th' taste of duck. Makes me sick. Must of been a helluva hunt, though."

The stubborn fire finally blazed up vigorously. Hickory boughs snapped sharply, and falling rain hissed through the underlying lacework of crimson twigs and into the bed of glowing embers. Water stood throughout the camp, swelling rivulets that raced along runoffs worn into the rocky earth by a thousand spring freshets.

The two guards watched while a half-dozen tents were hastily moved to higher ground and several men scratched drainage trenches with bayonets, axes, and shovels. Wood smoke and mist shrouded the area and effectivly smothered all but the sharpest sounds.

The younger man laughed softly.

"Poor bastards, dreamin' of women an' dancin', an' then wakin' up in the woods with th' goddam water soak-in' your ass."

"At least that's one break if you're standin' watch. Things can't get any worse."

"That's fer damn sure . . . It'll he'p th' cotton, though. 'Member how it was when we got on the train? Ever'one was talkin' 'bout fightin' Injuns. The Creeks—Seminoles, too, an' other tribes—they was all s'posed t' be gettin' ready for a big attack. Thousands of 'em! But most th' Snakes I seen all week looked like ord'nary niggers t' me, an' I ain't heard but two shots since we come out here. An' that was a feller after squirrels."

"That's kinda funny too," remarked the older man. "They was buyin' up gov'ment Springfields at that sale over to Turner's Hardware in Muskogee. Only cost two dollars an' forty-five cents. I talked to people saw Indians there last week—I mean Creeks, not just state niggers."

"Well, I've seed some newspaper write-ups'd make this whole business sound like a opera or somethin'," the other replied through chattering teeth.

"I seen sev'ral days ago that Snake Harjo was captured. An' a feller tol' me today in Weleetka that he even read where we killed 'im'. All I c'n say is if there's a Injun war goin' on, it must be somewheres else. I sure as hell ain't seen none of it."

He paused as they both watched a frantic mouse abandon a flooded stump, splash through raging rapids, slide over a waterfall, and scramble to safety in a great beaver dam of soggy leaves.

"Him an' Crazy Snake!" exclaimed the older man. "Only the mouse ain't been shot . . . Y'know Fred Cook, he sure is one fer action. He was tellin' about the kinds of rifle ammo. He says you don't want t'get hit with one of them small steel balls. Says he druther get winged by a big ball any time."

"Yeah? How come? Seem like you'd get tore up worse."

"'Cause the small ones go straight through a man an' cause bleedin' inside. That's what kills a man. A big Winchester ball makes a big hole where it comes out, an' you can lean against a tree or a fence or somethin' an' bleed proper 'til they come along an' patch you up. Natcherly, they'd best not be too long about it."

"Yeah, natcherly . . . Still think you'd git tore up somethin' fierce inside from a big ball, an' then you'd bleed in both places."

The older man did not reply right away.

"Well now, it sort of does seem that way, now that you mention it. But hell, it don't make me no nevermind which way a man spills his life blood. I ain't hankerin' t' get shot by a four-ten shotgun at a hun'erd yards!"

"Hah! Me too. But it don't look like you got nothin' t' worry about at the rate things is goin'."

" . . . You feel a year older? Seein's it's your birthday, I mean."

"Christ, I feel like a hunderd."

He spat again in the direction of the fire, and, as though on cue, the rain came down in renewed torrents.

The Press Campaign

Monday morning, April 5, Colonel Hoffman decided to interrupt the search because of high winds and driving rain. Some of the troops remaining in the field went to Henryetta, a few who lived in the area went home, and others were content to relax in their tents. The colonel drove to Okmulgee, where he and Dickson Bynum had arranged a noon dinner with district agents from Okmulgee and Holdenville. These agents, Thomas J. Farrar and William A. Baker, were not as directly involved as Fred Cook, Agent for the Checotah District, but they had been in frequent contact with the Union Agent, Dana Kelsey, and with Cook ever since the battle at Hickory Ground. From time to time, they had joined Hoffman's troops, although not as often as Cook.

Bynum had returned to Muskogee during the weekend, leaving the field to Hoffman. Other agents had stopped coming out to Camp Hickory or Camp Tiger, and Sheriff Markey and his deputy, Dead Center, had turned to other matters for the most part. Even the newspaper correspondents quit the scene, partly due to inclement weather, but mainly because the "uprising" in Oklahoma no longer was front-page news.

The newspapers had turned from reporting posse movements and signal fires to editorial comment and even examination of press reporting itself. In this connection, it is interesting that at a time when the American daily press reported current world events—Teddy Roosevelt's trip to Africa, the Manchurian question, United States diplomatic relations with Venezuela, the fighting in Per-

sia—a telephone call from Henryetta to Weleetka was still “long distance.”

Oklahoma papers were not as guilty of sensational writing as the “foreign” press and the Associated Press and United Press news services. Outside the state, reporters described the “primitive” Snake Indians with unleashed imagination and compared their chieftain to such familiar frontier figures as Sitting Bull, Red Cloud, and Geronimo. Local accounts were often inaccurate, but they diligently probed for what was actually happening, and did not indulge in flights of pure fancy.

Too often, however, Oklahoma editors relied upon reports of honest, upright citizens only to learn later that fact had been overlooked in the reports. For instance, one local paper passed along the intelligence that a man of “uprightness of character and vigorous veracity” had personally seen fifteen wagonloads of Negroes approaching Camp Hickory. Such a force could mean from two to three hundred men, and would indeed have challenged Colonel Hoffman’s militia, but when Major Barrett sent out scouting parties, neither men nor wagons were found.

Journalists in other parts of the country were even less restrained. Indians and their activities had always been described in the same colorful terms ever since the frontier breached the Alleghenies and spilled into the Ohio Valley. Indian men in any tribe were *warriors* or *braves*, and they were led by *chiefs*. Anyone knew that the *savage* population lived in *tepees* or *wigwams*, communicated with one another by means of *smoke signals*, and prepared for the warpath by holding *war dances* and donning feathered *war bonnets* and *war paint*. It did not matter that the Creek Indians and their neighboring tribes did not fit a picture portrayed in this manner.

The real American West had changed, and the Indian wars were a chapter from the past. There were still plenty of Indians, but it was absurd to suppose that as an ethnic group any of them would ever again wield tomahawks or descend upon villages to massacre and pillage in the hope

of frightening the white invaders away. By the turn of the century, most of the Five Tribes leaders had cut their hair, both literally and figuratively. Dressed in business suits, many spoke English, a number had school educations, and when the Indian and Oklahoma Territories became the state of Oklahoma, several Indians were elected to state offices in competition with candidates from the white community. And, of course, the Creeks had lived in permanent frame or log homes and in towns for a hundred years.

But whatever the facts in 1909, reporters throughout the United States pictured Indian life on the Oklahoma frontier as it had been in surviving pockets of the Old West a quarter of a century earlier. On March 29, an incredulous *Pittsburg Dispatch* used red ink to headline:

BLOODY BATTLE WITH GENUINE REDSKINS IS EXPECTED IN OKLAHOMA HILLS

The *Washington Post* warned that the "Indians Mean War!" and *The Philadelphia Record* speculated that the Indians probably had "firewater in their canteens." The *Juneau Daily Alaska Dispatch* stated that a battle with a "murderous band of crazy Snake Indians" was already in progress. On the following day, *The Los Angeles Times* announced that the warriors had been routed, and the *Bismarck Daily Tribune* shouted that the

SEMINOLES HAVE ON THEIR WARPAINT NOW

As businessmen canceled meetings in Oklahoma and salesmen adjusted their itineraries to avoid being scalped, the Oklahoma press understandably championed the triumph of law and order. On March 29, *The Oklahoma City Times* complained, "There is an element here bent on suppressing the news, and another bent on exaggerating it." Two days later, the editor of the *Muskogee Phoenix* observed that all too often "the mere fact that . . . harrowing details of fact are lacking in no whit dismays the correspondent. Manfully he arises to the demands of the hour." *The Daily Oklahoman* (Oklahoma City) was in agreement,

but voiced more concern about the unfavorable publicity resulting from "ridiculous" accounts in the Eastern press.

Once it became clear that the National Guard was engaged in a manhunt and not an Indian war, many local editors began to poke fun at the whole production. There had indeed been a tragic sequence that was grimly realistic; but Fowler, Henderson, Baum, Markey, and George Tobler, the man whose body Superintendent Dobbs had found at Hickory, were decently buried, and it no longer appeared that more lives would be lost. The hard-riding posses and the determined militia were wonderfully dramatic, but accomplished little, and folks commenced to relax and smile, asking if all the chasing around wasn't becoming just a bit comic.

On March 31, the Muskogee *Times-Democrat* concluded that "The Crazy Snake war is a joke and what in years to come will likely be known as the 'Smoked Meat Rebellion' is practically at an end." The Pawnee *Times-Democrat*, noting that Chitto Harjo had not yet been found, added, "Those Snake Indians must surrender and give up their land. The state of Oklahoma proposes fighting it out on this line if the militia has to camp and fish all summer." The McAlester *News-Capital* wryly declared that there was "no necessity for calling out the Navy," and the *Oklahoma City Times* considered the rebellion "but a ripple on the surface of a new commonwealth." *The Daily Oklahoman* likened the operation to "the average Central-American war," and a few days later reported with tongue in cheek an uprising at Pawhuska, "where over 2,000 Osages have risen up to receive over a quarter of a million dollars, their regular quarterly [oil royalty] payment."

By April 1, the Snake incident had been relegated to short notices on the inside pages. There was little to report except that Crazy Snake, who evidently was not so crazy, had not been caught. The Honolulu *Semi-Weekly Star*, which had carried an earlier front-page story, mentioned the affair again on April 2, but by the next day papers from coast to coast reflected only mild curiosity. On April 4,

The Philadelphia Record, referring to the famed Carlisle football team, remarked puckishly that "most of the recent Indian outbreaks have been no further west than Franklin Field; hence the interest manifested by the rising generation in the Oklahoma antics of Crazy Snake."

On April 10, *The Literary Digest* closed out the case. In a sarcastic article entitled "Mr. Crazy Snake and His War," the writer summarized events in the Creek country:

Crazy Snake determined on an aggressive campaign which began with a masterly retreat. He fired his tepees and his tents, like the general who burned his ships . . . Next day, the Indians retreated again, the band of savages proved very elusive, and on March 30, Crazy Snake was captured by somebody and the war was over.

All that had been captured, however, was the attention of millions of citizens, young and old, and it was not surprising. From the beginning, Americans had turned to the western frontier for opportunity, adventure, and escape. Life beyond the settlements was understood to be hard, but it offered freedom, room to move around. Its irresistible attraction lured all who were dissatisfied with their lot, men and women who would stake everything they owned on a new start, whatever the perils and privations. As the land prospered, it came to recognize in its hinterlands a source of its strength. Raw, unvarnished, crude improvisation was the product of unbelievable toil and frustration. But there was beauty in it too, and enormous satisfaction, and it endured.

In time, all the country shared the frontier heritage, and unmistakable in the emerging American character were an unfailing sense of humor, a sense of decency and fair play, a premium on integrity, and an awareness of the brotherhood of man. The nation took pride in its achievements and in its growth, and in 1909, as now, it was good to remember the way our people had conquered the wilderness, overcoming its severe ordeals of weather and climate, and its wild inhabitants, the Indians.

Headlines about Crazy Snake stirred memories, and reminded those too young to remember that Indian cam-

paigns were not ancient history. It was just yesterday, and their own generation was eye witness to that robust, ribald era in which the West was tamed. It was a man's world, and being alive was a thrilling experience. Here was true adventure young men would relate to their grandchildren—the war against the Snakes under Crazy Snake, last of the great war chiefs!

CHAPTER VI

WHERE POKEWEEDS GROW

The Troops Go Home

On Thursday evening, April 8, the white forces of law and order held their last conference of the campaign. It was in the parlor of the Muskogee home of George Wright, highly respected Commissioner to the Five Civilized Tribes. Included were most of the cast of the Oklahoma tragedy-comedy, in which the protagonist had appeared on stage only once. Since one does not celebrate the crushing of a non-rebellion, and since one cannot proclaim victory over an enemy one cannot find, Commissioner Wright's guests had gathered simply to have a drink together and talk over the experience they had shared.

Sheriff Jack Markey furrowed his great black brows and sent a cloud of blue cigar smoke billowing toward the polished brass chandelier. He felt comfortable. The swirling mist veiled the four etched crystal globes, causing exotic shadows to slide over the flowered walls.

Colonel Roy Hoffman smoothed his sandy moustache and stepped close to the many-paned window facing south. The strain had begun to show around his eyes and mouth, and he asked, almost inaudibly, "Where are you, Indian?"

"Cheer up, Roy," Dickson Bynum said softly. "People are back on their farmth and the Thnaketh are quiet. I even hear Carl Bright, the banker'th boy, has quit drinking. Guess he realized how close he came to killing an innocent man, and it really put the fear of God in him. Unless I miss my guess, we've seen the end of our trouble with the Snakes. Chitto Harjo is like a fire that's been smoldering a long time. But wherever he is, he's flared up for the last time."

"I guess so," the colonel replied, placing a half-empty glass of excellent bourbon on the library table. The Oklahoma constitution provided for prohibition, but there were socially approved ways of obtaining hard liquor for home consumption.

"I agree that this is probably the last time he'll get up enough of a following to scare anyone," Hoffman continued. He looked out the window again. "It's just that I was so doggone sure we would find him." He ground his fist into the other palm and smiled. "I suppose he can hide out almost indefinitely in the caves and valleys around Tiger Mountain and down into the Kiamichis."

"Well," Agent Dana Kelsey commented, as he entered the library from the dining room, "I don't know where Chitto is, but I'll bet he would give up here and now if he had any kind of accurate notion of what you gentlemen stand for. In fact, if he could see you today, he'd know how foolish he is in hiding. You don't look like a bunch of rawhide Indian fighters!"

Attired in their Sunday best, they indeed bore little resemblance to the men who had devised campaign strategy and interrogated witnesses and prisoners.

Frank Jones gave an exaggerated tug at his stiff collar and growled menacingly. "I don't know about you boys, but I *feel* downright *mean*!"

"Aw, go on Frank," Bill Carr said seriously. "You always put on a clean shirt an' tie for bringin' in Indians and outlaws, you know that."

"Sure," the deputy marshal replied briskly, brushing imaginary specks from his coat. "It's the truth." He stepped to the paneled fireplace and dramatically knocked on the mantle as though it were a door.

"'Scuse me, sir, you're Rufus Buck, ain't you? Well, sir, I'm Frank Jones, an' I'm real pleased to make your acquaintance, sir. Now, if you don't mind holdin' this here walkin' stick for me, I'll just snap these here silver-plated handcuffs on you!"

The men laughed uproariously.

"Careful he don't shoot off yore top hat, Mr. Fancypants, an' don't track any mud in neither!" warned Lee Bateman, so choked up that his eyes were brimming and he could hardly talk.

There had not been much time for foolishness during the

last two weeks. It was good to feel the easing of tensions and responsibility, and relive scenes of the "rebellion" drama without fear for life or property. Jones reminisced about his early life in Indian Territory and his innumerable encounters with villains of every kind and color, Indians as well as blacks and whites. Ultimately, the discussion returned to Crazy Snake and ten days of tramping across timbered hills, through thicket-clogged ravines, and over bramble-infested meadows. There was a good deal of self-criticism too, with even Sheriff Markey admitting that issuing the warrant for the arrest of the Chief may have been a mistake.

"I thought for sure he was roundin' up maybe five hundred Indians, maybe a thousand, and was gettin' ready to have it out with us. But it sure didn't turn out that way. Makes a man feel a little ridic'lous."

"Well, Snake is a victim of circumstances beyond his control." Hoffman leaned forward from the leather-upholstered chair to knock his pipe against a burning log. Glasses were refilled, and they waited for him to continue. "He didn't ask for all the things he rejects today. On the contrary, he fought against the white society at every turn. You Indian Service men know more about it than I do, but I think maybe I've learned a thing or two. Chitto Harjo grew up with different ideas of right and wrong. He can't any more do things our way than we could junk everything and live like Indians. I don't admire his stubbornness, his adamant refusal to make any effort to adjust to changing conditions in a new time and a new land. But in the final analysis, perhaps the man couldn't, much less lead his people along a new road. But I can tell you, he's quite a man! He knows what he wants, practices what he preaches, and he bases his actions on clearly understood principles. There is a spark of greatness in anyone like that. He may be simple and ignorant, but people follow him, and they are not betrayed. In a way, he may be dying for them. There aren't many like him."

The colonel's remarks were unexpected. There was an

awkward pause. Then Commissioner Wright rose, and with unintentioned formality he said, "I propose a toast to you, sir." He lifted his glass and was joined by the others.

"I have admired the restraint and good sense with which you have handled military operations, and now I find you are not only a good soldier, but a sensitive man as well. You have expressed exceedingly well what I believe we all feel about this truly pathetic figure and what he represents."

"What does he represent, Commissioner?" Hoffman asked. "Is he a symbol of the strength and weakness in every man?"

"Perhaps, although I think of him as personifying an old problem, man's failure to get along with his fellow man. It isn't the first time that supposedly civilized men persecuted a decent human being unto death. If, indeed, that's where this ends. Nor, I suspect, will it be the last."

Into The Choctaw Nation

It had been a clammy, wet day, although now the sun was shining. The woods glistened with pinpoints of light reflected from a million droplets clinging to the undersides of bare branches and shimmering on sodden leaves. In a few months, the leaves would be mulched down into thick moist loam, sprouting new seedlings—black walnut, shagbark hickory, white oak, hard maple, pecan, and a hundred others.

Along the bank stood the mighty sycamores, blotched and smooth, their great reaching arms defying the rock bluffs to shut off completely the narrow valley of Fourche Maline Creek. Even when the sunlight faded and shadows gathered to obscure the dark trace of the river, the ghostly sycamores remained on watch, resplendent in the moonlight, mocking the sullen cliffs, and mirrored in the quiet, somber waters.

In July it would have been a steaming afternoon after the downpour, but in mid-April a remnant winter wind teased nature, impatiently waiting to change her raiment,

and the chill dampness penetrated uncomfortably. The three men, full-blood Creek Indians, squatted on a dry slab of rock edged with deep moss and marked with fossil designs of ferns and trilobites that had graced the place long before the Indian race came to rule the land, use it, and finally lose it. The hot root drink was good, and inhaling the strong sassafras aroma was both invigorating and relaxing. They had come almost thirty-five miles.

While two of them lay on their backs on the smooth rock, the third man drew some line from his jacket pocket, baited a hook with a crawdad flushed from the gravelly creek bed, and began to fish. Watching intently over the ledge, he saw minnows dart and nibble and dart gain, while suspicious bream waited motionless in the shadow of the protruding rock. He was aware that a cardinal dipped past and chirped to its mate from across the stream. He heard a squirrel noisily gnawing through one of last year's remaining walnut husks. A hickory or an acorn would not take so long.

His image in the water smiled up at him and he felt good. Springtime was the best time of year. He glanced over at the cardinal, brilliant red against the drab gray shades of winter, and noticed that the wild plum in which it perched was already laced with delicate flowers. He thought of the redbud and dogwood and all the other trees and plants whose spring flowers, even now, were transforming the woodlands from a desolate and heartless corner of the earth to a showplace of natural splendor.

The raw blight of winter lay heavy on those who farmed for their livelihood in the backwoods. The food supply depended upon what had been grown and harvested and stored earlier, and in January and February days and nights dragged out monotonously, while the pitiless wind shot bone-chilling jets of air between the logs of a cabin wall. It was a time for endlessly replenishing the fuel supply, for vigilantly fighting off illness, and for planning and waiting.

In years when there was no snow, there were freezing

rains and sleet storms. The harsh hand of winter ruthlessly tried to squeeze from memory the cherished imprint of better times, and gave no promise of relief or cause for hope until the first brave crocuses heralded a new day. The crocuses, tiny trumpets sounding a clarion call in small, clear tones, were almost but not quite drowned out by the booming brass and still reverberating percussion of winter. And then, softly, imperceptibly, a miracle occurred.

A transformation, which was the reverse of the gentle, stealthy magic of a snowfall with its tremendous accumulating power, took place. Snow could bend full-grown cedars until their proud tops were humbled and, rootlike, they bowed low and disappeared beneath the mantle of white; or, it could tear the largest boughs from elms and maples in a display of deceptive might, assembled in silence and shrouded in sheer loveliness. There was a similar magic in a deep, soundless drop in temperature. Under the right conditions, the moisture in a great tree could freeze, expand, and explode open the trunk as though rent by lightning.

But the countervailing mystery of spring was just as awesome. It began with occasional crocuses poking through patches of wet, vanishing snow, then warmer breezes and a pale gray-green cast about the willows along the river banks. The woods creatures began seeking nesting material and stuffing it away in tree hollows and countless nooks and crannies. They twisted it into the branches of trees and bushes, and wove it into nests in the grass. Their busy coming and going created an atmosphere of anticipation, and the woods became a friendly, exciting place to be.

The colors of spring burst forth as silently as the snow had fallen. A variety of smaller trees blushed with bright red, maroon, and pink; and above them, these and other colors appeared in the blooms of maple, buckeye, tulip poplar, black cherry, locust, and persimmon. As petals dropped away and leaves unfolded, God's wild creatures

came out to inspect and enjoy their newly decorated domain.

"It won't be long now," the fisherman thought to himself. His fingers lightly tested the drop line, then abruptly he jerked it up and pulled a perch from the cold stream. After cutting a short pole to better reach the deeper water at the base of the rock, he tossed in the same bait and immediately caught a small bass. He climbed back up to his sleeping companions and spoke softly.

"Are you awake, Chupko?"

"Yes. Yes, I am awake. I was just dozing. Is anything wrong?"

"No, everything is fine. I can catch fish here, so I think we should stay a while."

"He will want to push on."

"I know, but he is asleep and the rest is good for him. Let's build up the fire a little and fry some fish. I already have two. And there is watercress for a spring salad!"

"All right, but be quiet so he does not waken. I will find some wood that will burn without much smoke."

Using a large hunting knife as a hatchet, Chupko Yahola cut several small branches from a stunted, half-dead hickory. The tree was growing in a cave-like recess beneath a canopy of stratified limestone. The rock projected five or six feet from a sheer wall that rose to meet the sun-bathed woodlands above the valley. The Indian also gathered sticks strewn about an old oak, long since shattered by lightning and patiently waiting for a strong wind to sweep between the bluffs and firmly nudge it into giving up the struggle. Then, thought Chupko, it would seek a resting place amid the undergrowth and seedlings sprouted from acorns it had itself shed in years past. And there, it would gently return to the Earth Mother from whence it had come.

When the fish, pierced by willow spits, were frying over a small but lively flame, the old man awoke. He had lain motionless since first he sank to the rock in utter exhaustion, but there was no chance he would sleep long. The

inner compulsion to move on, to leave his own people and keep a rendezvous with Daniel Bob, a long-time Choctaw friend far to the south, would alert his subconsciousness and urge that he had been in one place long enough. Now he smelled the fish and felt the sun warm on the jacket he had borrowed from Foxie Harjochee. He could see blue sky and cottony clouds behind the craggy silhouette on the south side of the river. Above him, a hundred prickly pods clung to a sweet gum that reached and writhed restlessly as though it would have preferred some other location and still looked forward to moving.

Cautiously, he raised himself on one elbow, wincing when the hot ache in his right leg throbbed unmercifully. He tensed his back and leg muscles, waiting for the pain to subside. An overwhelming sense of bewilderment and complete confusion descended upon him, and for a fleeting moment he wondered why his leg and hip hurt him so much. Then he remembered, and it was like recalling a bad dream. He moistened his parched lips and stared dully at the purple petals of a pawpaw, and thought of those at the north end of his pasture. He recalled the pawpaw wine he made one year and how sick it had made him and some of his friends. But they had had a good time. He almost smiled. It seemed like a long time since he was home.

The old man tried to remember when the shooting had occurred, but he could not. Maybe it was last week, maybe last month. He could vividly reconstruct Charlie Coker's bursting in and hollering to everyone to get down.

"Get down! Get down! A bunch of damn fool white men are coming with guns! They shot at me and they've got Sa-Pa-Yeh. Must be crazy drunk."

Chitto Harjo had noticed the blood stain on Coker's sleeve.

"Are you hurt? Why have they got Sa-Pa-Yeh?"

"No, but it was close. Have you got a rifle? They'll be here in a minute. Sa-Pa-Yeh just happened along."

It had been decided that only the family should stay in

the house. The rest would be within hailing distance beyond the pig pen. Chitto Harjo had flatly rejected any display of force unless his house was attacked.

"You all must promise you will not shoot unless they really do attack us. I can't believe they will do that, and we must give them absolutely no reason to start trouble."

Coker and Sampson Brown had ordered everyone else out of the house, and had run north between the pig pen and the pasture. Within seconds the shooting began. The Chief had gone to a window and seen the two deputies fall. Even now, he could feel the nauseous sensation in the pit of his stomach and the coldness that crept over him as he realized what an insane thing was happening. He had told his wife and son that they would be unharmed, but that he must reach his comrades outside to prevent further tragedy.

He remembered his son Legus following him when he dashed for the fence, where the others lay hidden in the tall grass. "Don't shoot!" he yelled, and the next he knew he was scrambling to his feet, not knowing why he had fallen. Bullets ricocheted just ahead of him, and he slipped, falling again in the mud before reaching the cover of the fence and the grass. He lay flat, catching his breath, trying to think, and there was that first puzzling awareness of the burning in his thigh.

* * *

The burning in his thigh. Once it seemed to diminish, but it got worse and spread into his leg the night they had crossed the Canadian. The Canadian is a typical western river, with a broad gravel bed and a shallow meandering stream that readily shifts its course and cuts no well-defined banks. The water had been muddy and high that night, and the flats they had hoped to find dry were under several inches of fast current. Sam Baird had floated a log raft downstream the night before, and while searching for a favorable place to cross, the Chief had slipped from a stone and gotten both feet wet.

The raft had proved extremely difficult to manage in the perverse rush of the swollen tide. It was constantly hung

up on clumps of sod and rock, or thrown wildly with the eddys and backcurrents. Twice it was violently jolted aground against stabbing and slashing bushes, and before they could push free with the long poles Baird had provided, water surged over the logs and soaked them to the skin.

Two hours later, having finally made it across, they located the borrowed horses that George and Haggey Thompson had tethered in a grove of beeches along the south bank. Within a short time, the Chief and his escort, Chupko Yahola and Micksie Barnett, crossed the "Katy" tracks north of the place called South Canadian. Then, once again under cover of the woods, they thought it safe to build a small fire, dry their clothing, and rest.

Very little was said as they crouched close to the flames and waited for their steaming garments to dry. Chitto Harjo coughed from time to time, and the pain became severe. He banished it from his mind, however, and thought instead of all the discomfort and inconvenience borne by his friends, who were determined that he should make good his escape. He demanded that they help him surrender or leave him to die, but they would not hear of it. With troops and posses everywhere, they sacrificed their personal security to hide him and provide for his needs. They had brought a doctor from Eufaula who had wanted the Chief to stay with him a few days, but of course that had been out of the question.

Actually, he reflected, it was his friends who made him a whole man. Through them, he could transcend all manner of misery and persecution and, on their behalf, emerge triumphant.

Sampson Brown

He thought about Sampson Brown. The deputies went looking for him, too, after they found his hat by the hogwire fence. But they had not found him, and he had seemed to have dropped out of sight, until one night a gang of white men heard of a freedmen's meeting at Buzz Hawkins'

place west of Muskogee, and went out to investigate and maybe have some fun. They surrounded the cabin sometime after midnight and settled down to wait.

At daybreak, a woman came out to fetch water. She was quietly ordered to warn her friends that the cabin was covered from all sides, and unless she came out with their weapons in two minutes, the place would be shot up and burned. She did as she was told, and brought out several rifles and knives and stacked them on the ground, while twelve men and four women came out with their hands up. All were released after questioning by Frank Jones and Dead Center, who had learned of the action in time to ride out and prevent violence.

There was one person who was not released, however, at least not by the posse. That was Sam Brown. They found the old Negro lying in bed suffering from a bad gunshot wound below the heart. His condition notwithstanding, they moved him by wagon to the federal jail in Muskogee, where he was placed in a "hospital room." Upon arrival, Frank Jones tried to learn how he received the wound, but Sam refused to answer and asked Jones to arrange for United States Marshal Morton Rutherford to defend him. By morning, however, Sampson Brown was dead. Foxie Harjochee, who narrowly escaped capture when he came to see Brown while people were being questioned at Hawkins' home, had followed the posse to Muskogee and later informed Chitto Harjo of what had happened.

Harrison Janes

After the posse left Hawkins' cabin, something else had transpired that the Chief did not hear about. Harrison Janes was a member of the posse, and being the kind of man he was, he had no intention of leaving the cabin standing. There was something about the place and the people who lived in it that seemed to call to him for his own special talent and skill. More important, it would burn so fast and so marvelously that he could not resist the opportunity to make it come to pass.

Janes' eyes all but reflected firelight as he unobtrusively cut out from the group heading for Muskogee and circled back. He had seen a pile of straw beneath a lean-to off the rear of the log house, and had not failed to notice several pines nestled close to where the hay was stored. He gave a slight shiver of anticipation, and his broad, loose lips spilled with a surge of saliva. "This'll be fun, this'll be fun," he repeated aloud, wiping his face with his hand and then his hand on his overall pants.

There was no window along the back wall, and no one saw him dismount and approach the lean-to. He thought of the way the flames would eagerly lick into the hay and then whoosh up into the young pines, engulfing the shed and setting the cabin to blazing. He took out a box of matches that he always carried, and had crouched low to kindle the first innocent little flame when Dead Center came around the house and rode toward him.

"Hold it! Don't strike that match!"

Center's voice was not loud, but Janes heard every word.

"Shit, Center. You'll shag ass outa here if y'know what's good fer yuh!"

"Get up, with your hands reachin'. Right now!"

"Aw, what th'hell do you care. Ain't nothin' but Snake niggers in there."

"I said drop the matches. Light one an' I'll kill you where you're standin'."

Janes hesitated. He know that Center was fast with that single-action .45, but he hadn't drawn it, and being mounted and with a stiff leg, he was at a disadvantage. Janes felt a tingle of excitement pass through his entire body.

"You ain't th'man fer it, Dead!"

With that, Janes threw himself to the ground and rolled into the shadow of a spreading hawthorn. At the same time, he jerked out an old Remington .46 caliber five-shooter and, lying on his back, fired smoothly, twice. Deputy Sheriff Center pitched from the saddle. Janes fired again into the half-lit-underbrush where the deputy had

fallen, as Center's .44 exploded three times in quick succession.

The horses bolted, ran a few yards, and stopped. For a time nothing moved. Then the deputy rose carefully but confidently, and walked toward the zigzaggy tangle of hawthorn. He saw Janes' boots and knew the man was dead.

"He daid?" Buzz Hawkins asked, thrusting his head around the corner of the house.

"Yeah. Stone dead."

"What's he doin' heah?" The Negro approached wide-eyed.

"Settin' your place on fire. But that ain't why I killed 'im. I told 'im I would if he lit that match. He didn't do that, but he did take two or three shots at me. Might not've missed the next time."

Frank Jones rode up, and again Center told how it happened.

"I don't rile too easy, Frank, but I did get a mite put out when he started shootin'."

"Hate t'say it about someone's passed on, but it's good riddance," Jones stated as they lifted Janes' body and hoisted it across Janes' own saddle.

"Good thing I happened t'see 'im ride back here. If it'd been anyone else, I don't reckon I'd 've follered."

"He'd 've got it sooner or later," someone remarked. "Ain't much good c'n be said about the man. Ah'm s'prised he stayed alive this long."

They secured the body with a rope and then rode toward Muskogee.

Fourche Maline Creek

Their clothes had been damp but pleasantly warm when, that first night after crossing the Canadian into the Choctaw Nation, the three men scattered the fire and stomped out the coals. After proceeding slowly through fertile bottoms for half an hour, they reached Gaines Creek. Fortunately, they could ride across, although it was while

fording the narrow stream that Chitto Harjo had realized he could not ride much longer. He had tried to get Chupko and Micksie to bring him back, but they had refused. He had argued that if they could find Fred Cook or Frank Jones he would be treated well, but they had replied that it was hopeless. They would never get to talk with Cook or Jones. There were too many posses, too many men who would shoot on sight.

They did not tell him about the lone figure they had seen stealthily cross the Canadian behind them. After the Chief had stepped ashore, they had pushed the raft out into the current to let it drift soundlessly away. Traveling alone on the return trip, they would not need the raft. But it had snagged, and that was fortunate, for it was while they waited for it to swing free that they saw the skiff emerge out of the darkness of the far bank and glide across the foggy surface. Chitto Harjo, resting several yards from the bank, had not noticed, and they said nothing. They could not be sure they were being followed, but the man in the skiff seemed to want to remain unseen, and it was the only good explanation.

Now they tried to press on a little faster. They could not move more rapidly, but they rested less, and the Chief did not object. Once his mind accepted that they would not turn back, he determined to survive the long journey and to reach Daniel Bob's home. That much he owed to his friends whose loyalty and bravery had so touched his heart.

The morning of Friday, April 10 dawned cold and clear, and they awoke when the sun's rays burst full upon them. They had been able to cover no more than five miles a day the past three days, but had done better the previous three. The younger men had kept an uneasy watch each night but had seen no trace of a pursuer.

Chupko and Micksie talked briefly while gathering sticks for a small fire to make coffee.

"Maybe we were wrong," said Micksie. "Maybe that guy in the skiff wasn't following us after all."

"And maybe he was," responded Chupko. "I don't know, but we had better keep our eyes open."

"But if he is following us, what's he waiting for? Do you think it's Morris?"

"I can't think of anyone else who might actually follow Chitto with intent to harm him. But I don't know what he's waiting for. Maybe he's lost our trail, but I don't see how he could. We're going so slow. Maybe he wants to come upon us at night, but he's seen one of us on watch and doesn't know how to proceed with whatever he's got in mind."

"Or," Micksie added skeptically, "maybe he just wants to know where it is that Chitto goes. But I don't see how that information would be worth the trip."

They ate a hurried breakfast of smoked ham, dried peas, weak coffee, and boiled wild lettuce. Then they moved on. An hour later, they paused at a spring, and once, in mid-morning, they saw hunters coming toward them. They led the horses into a screen of small hackberries protected by a stand of blackjacks still covered with last year's brown-paper leaves. From there, they retreated behind a dam of weeds and brush packed solidly into a dry, rock-filled creek bed. The hunters, who carried a dressed doe and some small game, passed without seeing them.

Continuing south all day, they came to the Fort Smith and El Paso right-of-way some ten miles east of McAlester. It was late afternoon, when people were sitting down to a dinner of sowbelly and poke greens. The deep golden glow of the sinking sun glorified the textured folds of the hills to the east, and before long, the warm light of kerosene lamps winked on here and there, and wisps of bluish smoke curled up from cabins hidden against timbered slopes and along the streams that snaked throughout the valleys. The moon would be bright, but travel at night was made difficult by vicious needles of wild roses and hawthorn growing everywhere.

Chitto Harjo could no longer remain in the saddle, and he leaned heavily on his walking stick. Even so, they had

not stopped until, well beyond the inviting aroma of wood-smoke that filled the meadowlands, they reached the first elevations of the rugged Sans Bois wilderness. There were many more pine trees now, and just west of the old Choctaw Coal and Railway Company tracks, they found a fast, bubbling creek, where they made their camp.

The Chief was very weary, and when they had rested, he asked that his companions leave him temporarily so that he might rest a while longer. He reminded them that they would need to ride to McAlester and leave the horses with friends, who would look after them until Chupko and Micksie stopped for them on the way home. This was as good a time as any.

"I would like to say that you have done enough for me and should go home now, that I can make it from here. But this is not so. I might want to lie down under these trees and sleep forever." He smiled and let his head rest against a cushion of rich green moss.

"Go along, you two. The horses are no help now, and anyway, you can see they are too slow for me." His face was serene and in repose. When they saw his eyes close peacefully, they left.

Chitto Harjo lay listening to the tranquil stillness that marked the end of day. A full moon rose swiftly to challenge the darkness mystery, and drops of dew shimmered like pinpointed fox fire. A whippoorwill called intermittently as it hurried farther and farther away, and was gone. A flock of wild turkeys flapped and fluttered loudly, selecting a roost for the night. A pair of small birds flew to a tall, dead tree, and were lost in a tangle of witches'-broom and ivy bunched high in bare branches which looked so brittle that they would surely snap in the next gust of wind. The old man's eyes were open, and they followed the thick, furry vine that clung to the hollow trunk and fed climbing tentacles which in summer would adorn the carcass with leaves and make it appear alive and vigorous.

He thought of himself as a great old tree, more dead than alive, fooling lesser growth into believing he still was

spokesman for all the forest in its communion with nature. But sooner or later, the last of the still-lingering birds would desert the decaying monarch, its once mighty arms devoid of sap and sinew, its roots dried and withered away. And one day, a scornful breeze would decide its fate and puff the old fraud into humiliating prostration.

Chitto Harjo stared long at the gaunt shape standing stark in the fast-fading light. Maybe it resented the parasitic creeper, recognizing the vine for what it was, nothing more than a coarse ragamuffin whose pretense of friendship masked its real purpose of using the helpless old post as its own trellis to the sun.

He thought of his only son and the family continuity he represented. "God must be his guide and his teacher now," he thought, "for I can do little more." He was proud of Legus, but feared for him, because he was the son of his father and thus had been born one hundred years too late.

A coyote yelped, and far down in the valley a great horned owl hooted a muted response. "He sounds like a dog with a mouth full of feathers," he mused, vaguely hearing also the babble of wild geese flying north. These all were good sounds . . . Then a dream swept down upon him like the wings of an attacking hawk and overshadowed his consciousness, and he closed his eyes.

* * *

Chupko Yahola and Micksie Barnett were glad of the opportunity to study their backtrail. They rode no more than one hundred yards, dismounted, and led the horses uphill beyond the Chief's hearing. On a narrow timbered shelf, they tethered the animals, then returned to the vicinity of their stopping place.

Chitto Harjo had drifted back through eons of time and endless reaches of space, seeking an understanding of causes, the sight of something familiar, an explanation of the changes occurring in some of the very cornerstones of life itself. If their footsteps were audible, he did not hear them.

Down the slope and to the west, a crow called and a

squirrel scolded. Several more crows spoke up in strident annoyance, and the two Indians smiled. They were indeed being followed, and their caution was being rewarded. They separated without a word and began a patient reconnaissance of the ground over which they had passed not more than thirty minutes earlier. When they had gone back about a thousand yards, passed a natural fortification of huge blocks of mossy black rock, they came together and stopped, listening.

As they stood straining to pick up tell-tale sounds, each seemed to be groping for once-mastered but long-forgotten skills. Each was alert and watchful, looking for . . . what was it? What small clue, what sign that would unerringly have guided their ancestors? The tracking instincts had long since faltered and faded, but they were not dead.

"We missed him!" Micksie snapped in an agitated whisper. They both realized that Morris was between them and Chitto Harjo.

"Cut around those rocks," Chupko directed. "Hurry!"

Moving swiftly, the damp leaves muffling their footfalls, they stayed close to the giant boulders.

It was Chupko who first caught sight of the slight figure crouched in a sumac thicket. The man had slipped in quietly, making every effort not to be seen. He raised himself slowly and peered ahead to the glade where Chitto Harjo lay basking in the balmy euphoria of a peaceful, simpler time. Steadily holding his eyes on the sleeping Indian, he crept stealthily forward, gently putting branches aside and taking care to step on roots and rocks.

Chupko saw him move into the clearing, saw the steady hand draw the knife from its sheath. Chupko's mouth went dry, and he was filled with horror at what was about to happen before his very eyes. For a moment he was absolutely immobilized. Then a cold wave of anger rushed through his body like an electric shock, tingling his senses and impelling him to act, and he ran forward, crashing through bushes and snapping off small branches.

"No, Willy! Stop!" he called in a choked whisper. Sub-

consciously, he was determined that the old man's sleep should not be disturbed by so wretched an act, not even by his own effort to save the Chief's life.

The Negro paused, looking like a dancer, weirdly masked on a half-lit stage. Slowly he turned, a fiendish smile curling across the large ragged teeth. The thick lips hardly moved as he murmured, "All right, Chupko—you first!"

Chupko remembered his own knife and wondered if Morris had noticed the rifle laying by Chitto Harjo's side. He and Micksie had taken turns carrying it, but had left it with the Chief during the time he would be alone. Their only other weapons were their knives and the knowledge that they probably were being followed.

Willy Morris took one step toward Chupko, the self-righteous full-blood who seemed to symbolize all that Morris hated. He raised his slender arm with deliberate ease.

Chupko felt an icy pang of fear stab through his body, jarring him with the memory of the fight at Sam Baird's home. He remembered the sharp "thunk" of the knife striking the window frame and the quivering hilt only an inch from his body. He knew Willy would not miss again. It was the man's only accomplishment, and he was good.

"Goodbye, Chupko!" the half-breed hissed.

Chupko almost heard the quick intake of breath, then saw the poised blade flash dully in the moonlight. Willy's arm leaped forward in a swift, effortless arc, and time had run out.

At that exact instant, Micksie threw his own knife. He had no hope of a clean strike, but with a silent prayer to the gods of his fathers, he hurled the weapon. The handle struck Willy's shoulder. Then Chupko felt a sharp burn across his arm as he dived to snatch up the gun.

In an instant, Chupko and Willy Morris were locked in a deadly embrace, rolling crazily through the brush and against the trees. Willy gasped obscenities as his

fingers clawed frantically at the other man's face. Gathering all his strength, he lunged sideways, heaving his lithe body free and grasping the rifle. Then suddenly it was over. The malevolent sneer slid from Willy's lips, and the hatred drained from his surprised, bulging eyes as he released the gun and fell limp, the sliver of steel piercing deep into his heart. Chupko drew out the knife, but said nothing.

Chitto Harjo did not awaken, and he never knew. After carrying the body some distance up the slope, Chupko and Micksie lowered it into a narrow cleft in a rock outcropping and covered it with other rocks. Then, they bound up Chupko's arm where the blade had slit the skin just below the shoulder, and the two rode on to McAlester.

* * *

Chitto Harjo did not awaken until he heard a flock of crows calling back and forth as they sortied over the woods. He heard the soft staccato tapping of a small woodpecker, and saw him busily exploring beneath the tattered hide of a shagbark hickory. He watched the changing patterns of sunlight filter over him, and he cautiously moved out of the shade. His wound did not hurt much, but his legs felt stiff and sore. As the sun warmed him, the soreness subsided.

A jay swept low above him and almost touched a young gray squirrel who had been sunning himself at the end of a long white oak bough. The little animal scampered toward the trunk, the feathered ruffian crowding close behind. As the squirrel dexterously swung to the underside of the limb and eluded his tormentor, the old Chief chuckled and nodded approvingly.

"You have learned well, little one," he remarked aloud, knowing that the jay had been playing and not actually attacking. He closed his eyes and sighed, wishing for the thousandth time his favorite wish: if he but had powerful wings that could carry him to commanding heights and support him in headlong diving and carefree swooping throughout the upper reaches of the forest!

His heart had always led him to lofty heights, ever urging him to shun the petty, mundane pursuits of human existence and to seek in his thoughts the peace that lies beyond the daily struggle for food, clothing, and shelter. As long as he could remember, he had felt a kinship with the wild creatures of the natural world and the great birds that were its moral spirit. As a small boy, he talked with the wise and wary crows, believing that they had things to tell him, and that it was imperative that he learn to listen and to understand.

He-Who-Lives-With-Crows (his boyhood name) befriended a baby crow one time, and long after the bird had grown to maturity, they were frequent companions. They explored the creeks of his childhood, only a few miles away, and conversed in low confidential tones, nasal and guttural, full of meaning. Occasionally, a dozen strong beats of its broad wings would carry the bird to the top of the tallest tree, where, a mere speck against the sky, it would call down to its earthbound friend. The boy's pulse would quicken, and he would answer in loud, uninhibited crow-talk, a language that expressed perfectly his love of living and brought him into communion with the spirits of nature.

His reflections and the bird dream ended when Chupko and Micksie approached, after having ridden much of the way back from McAlester in a farmer's wagon. The farmer had been a white man, and they had not talked much. Now the three Indians lost no time in resuming their journey. As they entered the mountains, their progress slowed markedly, and although the deer trails they used were well worn and easy to follow, trudging uphill seemed to scratch at one's lungs and make all forward motion an effort. Chitto Harjo had become noticeably weaker the previous day, and now he found it necessary to rest at half-hour intervals.

None of them had ever come this far before into the Choctaw Nation. The Chocs were good neighbors, however, and even though it was strange territory, the Creeks knew

the route. A letter from Chitto Harjo's old friend, Daniel Bob, had contained directions written in English and a penciled map. Catsey Hola had seen that it was promptly delivered to Foxie Harjochee, and he had brought it to the Chief. Chitto had been feverish at the time, and he firmly believed that the message had been carried by one of the spirits of the forest. No other source of great power could have known of his plight and been able to furnish a solution. Someday he would ask Daniel Bob how, at his home beyond the Winding Stairs and the Kiamichis, he had received the message and been instructed in what he must do. It was a mystery that no one could explain if it was not an expression of the will of the forest spirits.

The Sans Bois

It had taken two more days for them to reach Fourche Maline Creek just north of the Choctaw town of Mountain Station, now Wilburton, in Latimer County.

"Are you all right, Chitto?" asked Chupko Yahola.

"Yes." The old man moved to a sitting position and slowly lowered his legs past the rock ledge. He watched Chupko mix cooked poke shoots with spring cress. It would make a delicious salad. Chupko also had placed a few poke roots close by the fire to roast. It would be a pain killer that would bring welcome relief. Micksie approached with steaming fish served on a warmed flat stone.

"Here, my Chief, you will feel more like a child of the forest after you have eaten."

The aging leader smiled. Chupko's indomitable spirit was characteristic of the old full-blood society. The new generation seemed like strangers. They were cynical and indifferent, caring so little for the very things that should mean so much. Sometimes he feared that his own son would not long resist the insidious propaganda of the government in Washington and the ideas of the young men who were turning their backs on the ways of their fathers. They did not listen to him as his contemporaries had, and this was hard for him to understand. One had to

remember, though, that the youngsters would have to live their own lives. Maybe it would be better when the old people were gone; then the young could decide for themselves.

"Thank you. Fish will taste good," he responded buoyantly as the greens were added. "We probably could string trotlines and snag a yellow cat here. But," he added wistfully, "I suppose we should not stop that long." He was relieved when Micksie said they had no catfish hooks anyway.

When the meal of bream had been reduced to bones, each drank cold clear creek water from a tin cup. The two guides then scraped clean the roasted poke roots and ground them to a powder between two smooth stones. They added a few drops of water in which the shoots had been cooked and applied the warm paste to the wound on Chitto Harjo's hip. They bandaged it as best they could, kicked the fire into the stream, and went back on the trail.

After following the meandering creek four or five miles in an easterly direction, they stopped for the night at a place where the stream deepened and widened in a sharp turn and a meadow of lush Bermuda grass rolled to the edge of the dark pool. The night passed uneventfully, and all three slept soundly.

Early the next morning, they continued, generally paralleling the Fourche Maline for about ten and a half miles before turning south.

The Kiamichis

Chitto Harjo did not really know which way they went. He did not feel rested, and his mind wandered as he picked his way haltingly over the first ridge of hills. They should have bathed back there where the Bermuda grass rippled with every breeze. Something kept reminding him of the rules of cleanliness his father and mother had taught him, and something even more remote and indistinct kept bobbing to the surface of his consciousness when his foot touched the ground and shot flashes of pain up his leg.

It helped him to remember, and the more he thought about it, the more certain he was that the Wind Spirit had been whispering to him, but he was not sure he could interpret the message. Perhaps they should have bathed. If so, the town official responsible for properly training the boys of the clan would probably be looking for them, and they could expect a good scratching with the garfish jawbone.

Fleetingly he thought he saw his house up ahead. But it was not his house. It seemed to be made of wood and thatched with cane, and by the door, his mother—or was it his grandmother?—was weaving thread she had spun from silk grass and mulberry bark. He glanced toward an expanse of short grass and rock formations, and recognized the town plaza with the chief's big house at one end and the council house at the other. Beyond the plaza, there seemed to be a quadrangle, where public events took place during the summer months. He fancied he could make out the tiered seats arranged on all four sides according to rank.

He stopped to lean on his stick and to rub his eyes. What plaza and what quadrangle? A garfish jawbone? He was confused, but he knew he had recognized something in the visions his memory passed before his eyes, something happy and precious, something of value . . .

Under a warm sun and cloudless sky, intensely blue, the travelers abruptly intruded upon Spring in an unguarded moment. Her natural loveliness, enchained in a protected valley, was tintured with the youthful exuberance and vibrant radiance of wood violets, pinks, trailing arbutus, and wild columbine. The old man smiled with pleasure, only half-knowing that this was reality and that he had been dreaming.

When they reached the Winding Stair Mountains in LeFlore County, the soaring pines shut out the day, although high overhead shafts of sunlight drifted down, illuminating secluded glens where iris grew, their lavender petals curving gracefully in a demure display of their own

exquisite beauty. Finally, the three men reached the St. Louis and San Francisco Railway tracks, between the towns of Compton and Talihina, and they knew they were at last nearing the place where Daniel Bob would meet them.

That night, Chitto Harjo slept little. He was somewhat feverish, and his feet were swollen and bruised. Despite paralyzing pain, he had relentlessly dragged himself over hardened trails, rough fields, and rocky creek beds. Now the wound in his hip pulsed incessantly, and it felt as though it were stretched open and festering. He lay on his left side until it became unbearable, and then rolled over on his back. He was puzzled by the sound of the south-bound freight, howling mournfully on the approach to Talihina. Again, his thoughts drifted back to another time, a time full of good health and good cheer, a time pregnant with the promise of a brighter tomorrow. And yet, without the magic of the Wind Spirit, he knew he would not be able to remember such a time, for he had never been there.

He seemed obsessed with the reality of the great change that was descending upon his people, a change as pervasive and profound as life itself. Even so, he mused, the forest around him had not been altered by it. Was there any reality in change? It had been a great change for the Creek Nation when they had migrated to the West, but they had put down new roots, and had accepted and become a part of this land. There had been revolutionary change when the white man had absurdly claimed to own much of the Indian estate and had grossly misused nature by extending his offensive fences across her brow. Still, the Nation survived, but the Wind Spirit kept reminding him that there had been a better, happier time.

The aging chieftain had vivid recollections of his father describing a special fire ceremony during the long Removal march. The Cherokees called it the "Trail of Tears." Most of the Creek Nation had already gone, but Aharlock Harjo and his father, Chitto Harjo's grandfather, had stead-

fastly refused, until in midsummer the soldiers had burned their town, white people had taken their homes and their lands, and they were herded like cattle into stockaded staging centers. Two weeks later, they started west.

There had been a boy, later killed in the American Civil War, who had proudly helped carry the sacred town fire from one camping place to the next. That was a trust no youngster would have been permitted to perform under normal circumstances, but they had waded through treacherous swamps for days, and the men were all occupied encouraging the weak and the children, and trying to save lives, often against impossible odds. The boy was very proud of his important role, and had done so well that he carried the fire on two other occasions, and even was charged with responsibility for transporting the large conch shell used for the mysterious black drink ceremony.

The time Chitto Harjo's father remembered so well was the afternoon of the day they had finally dragged themselves out of the swamp. Many had to be left behind, including Chitto's grandfather, who had collapsed and drowned before anyone noticed. Aharlock Harjo had gone back and found the old man lying face down in a muddy pool eddying thickly out of the canebrakes. There could be no burial, so they had placed the body on a dry hillock, covered it with rushes, and left it in peace until the wolves would find it. Even now, Chitto Harjo imagined the plaintive keening of the women as they mourned the passing of his grandfather and many more.

When they had selected a campsite, the boy prepared a place for the town fire. He also was named an official helper during the ritual in which every family lighted its fire from the flames he had helped carry safely since first they felt firm ground give way to spongy hummocks and broad rice lakes. It was at this ceremony that his clan elder had announced for all to hear that the young man, not yet ten years old, had shown extraordinary qualities of leadership and therefore merited special recognition as a "young warrior." No such rank existed until it was

created that day, and it was then that the boy had abandoned his childhood name to become known henceforth as Oktarharsars (Sandy Place) Micco, a proven leader who could move rapidly where others feared to tread, destined to demonstrate unusual cunning and patience in the pursuit and ultimate defeat of his enemies. The young warrior understood what was expected of him because the clan elder explained it in the manner of their clan.

One time during the Civil War, Chitto Harjo had met Oktarharsars Micco. "Sandstorm," as he was called by the white men, was one of Opothle Yahola's ablest lieutenants, and Chitto had been very proud when the officer asked him to serve as his aide. For four days they had camped together after the Battle of Round Mountain. During the few moments they had to rest and talk, they had found time to discuss many things, and Chitto Harjo had come to admire this man who seemed able to comprehend and explain some of the mysteries of life. He could account for the forces of change and think beyond the conflict that had engulfed them. He seemed able to think beyond their existence and into a new life, and Chitto had thirsted for more of his friend's wisdom. And then it was over. Oktarharsars Micco was killed by a Choctaw sniper attached to the Confederate force seeking to engage them. For the first time in his life, Chitto had experienced grief, but there had been little time to think about it.

Now Chitto Harjo recalled that Oktarharsars Micco had confirmed Aharlock Harjo's account of the Removal and the special recognition accorded Oktarharsars, then only a boy. Chitto thought about Oktarharsars' telling him that all this land was once the ancestral home of the Creek Nation, long before the Creeks had migrated east. Perhaps that explained Chitto's so being at peace with the land. Perhaps this was his home in a spiritual sense, transcending all political and social strife. Perhaps this was what the Wind Spirit had been trying to tell him through permitting him to dream of Creek and clan matters in the time of his grandfather. Oktarharsars would understand. He

would explain it in terms of unity and oneness, the eternal continuity of time and life.

Chitto Harjo awakened after twisting away from the needle-like fishbone used for tattooing. In his dream, he had been proud of his new warrior's mark of indigo and charcoal, and he was ashamed to let others see him wince. Perhaps an old man would be forgiven. He felt the sharp point again, this time knowing it was a pine needle that had worked its way through his clothing. He supposed a tree spirit may have dispatched this tiny agent to waken him, to demand his attention on behalf of the spirits of the night. Perhaps there would be a lesson for him. Would he learn what was happening to him and the whole mad world in which the Creek Nation was trying to live? He felt as though he were on a raft caught in a swift tide, racing headlong toward a cataract or a whirlpool. Every time he tried to grasp an overhanging branch, a slashing cross-current would thrust him back into the main current.

He lay quietly, fully awake, listening to myriad little sounds, echoes of night voices heard by those who lived among these mountains two hundred years ago. But even here, life came and went. He noticed the bright scar of a broken branch. There had been a high wind not long ago. He imagined it lashing the face of the earth, the sky in murky turmoil as the storm gathered its strength. Thunder must have filled the air as jagged barbs of lightning stabbed down at the mightiest of life forms, seeking to humiliate, maim, and destroy. What chance did the largest tree have against the wrath of the Wind Spirit? What the Master of Breath gave—life itself—He could take away.

He listened to the tree frogs gradually tire and cease their assorted sounds. They amused him because, like small children, they seemed to arouse each other and fight to stay awake. Once he detected the rustle of a small animal passing. Then he dozed fitfully during the hours before sunup.

In the chill gray of dawn, Chitto Harjo sat up and rested

against a rotting trunk, a former lord of the forest, now annual host to millions of ants, beetles, and grubs. Soon there would be nothing left, and even the ants would go elsewhere. He speculated about the cause of death. Decay probably resulted from a surface wound, small at first, then enlarging like a cancer, sucking and gnawing at sap and sinew until only a hollow hulk remained. The old Indian brushed a red ant from his leg and involuntarily shuddered.

"Are you cold, Chitto?" asked Micksie, feeling a wave of guilt for not having insisted on a fire during the night. He had not been cold himself, but it was stupid to have permitted the old man to lie on the chill ground. He had the terrible impression that their friend was becoming more feeble by the hour, that his condition was worsening rapidly even as he insisted that he was improving and tartly rejected assistance.

"What? . . . Oh, yes . . . Yes, I feel fine, thank you. Did you sleep well, Micksie?"

"Yes, I slept well."

Micksie noticed for the first time that Chitto had lost weight, especially in his face and neck. Of course, it was to be expected, and perhaps he would regain it at Daniel Bob's home on Bok Tuklo Mountain. He would stay there and eat and rest until he had regained his strength and could return to his people north of the Canadian.

"Give me your hand. Let me help you," the younger man offered, expecting the usual, slightly annoyed, "I can do fine, thank you."

"Yes, my friend, pull me up. My bones are stiff this morning and need help."

They had found little to eat, so began with empty stomachs the short trek over one last ridge into the valley between the Winding Stair Mountains and Kiamichis farther south. Later in the year, berries and wild fruit would be plentiful, but in the spring there were only a few plants that could be eaten if survival were in the balance. Fortunately, Micksie sighted and shot a squirrel. They no longer worried about posses hearing the rifle.

After they had eaten, they moved on, abandoning efforts to avoid being seen. Presently, they came upon a well-worn trail leading to the council house some five miles west of Spring Station, a Choctaw town on the old military road between Fort Smith and the trading center at Doaksville.

They had stopped to rest when a wagon rumbled out of a valley to the west. The Creek and Choctaw languages are quite dissimilar, and the farmer's friendly greeting was not literally understood, but there was no mistaking hospitality, and the Creek travelers rode the remaining mile to the council house. The Choctaw farmer inquired whether Chitto Harjo required medical assistance, but the Creeks politely declined.

At the council house, Chitto Harjo was pleased to find Daniel Bob, who had been waiting patiently almost two days. With few words, they embraced each other, and the Creek leader introduced Chupko Yahola and Micksie Barnett. Bob was accompanied by Anderson Harris, whom Chitto did not know, and he introduced Harris to the Creeks. Chupko and Micksie expected to escort Chitto all the way to Bob's home, but the old man would not hear of it.

"You must return now," he said firmly. "Remember to get the horses, and be sure to thank the Thompsons and Sam and Foxie and all the others for their help. Tell my wife I am all right. She will worry. Tell my friends I am with them in spirit and will be with them in person to celebrate the corn harvest!"

He sounded hearty enough, but Chupko and Micksie thought his eyes less firm than his voice, and they noticed when he clutched so fiercely at his walking stick that his knuckles were white.

Bok Tuklo Mountain

The last lap of the long journey from one Indian nation to another was exceedingly slow. Standing very straight, head held high, Chitto Harjo waved once, then he and his new companions set out, traveling a narrow, steep trail

toward the headwaters of Eagle Fork in south-central LeFlore County. Stopping frequently, they proceeded along a little-used path, overgrown with seedlings and grass and often obstructed by dense growth and fallen trees. They fringed heavily timbered hills, and finally crept close to the summit of a southern spur of the Kiamichis before dipping into one last valley. The two Choctaws had to carry the refugee chieftain up the west slope of Bok Tuklo Mountain and to the end of the long trail over which Chitto Harjo would not return.

Daniel Bob, also known as Dan Roberts, was a well-proportioned man of some forty-five years. He wore a narrow tuft of chin whiskers and a graying moustache of long strands smoothed straight down past the corners of his mouth. A mild, soft-spoken individual, he chose to live far off the main roads and some distance from the south-eastern Choctaw towns which were clustered throughout the region enclosed by the looping Kiamichi River and the Red. Like most full-blood Choctaws, he farmed for subsistence. His main crop was corn, but he also grew melons and pumpkins, and kept a few pigs. His home in McCurtain County was isolated from railroads, and the only town for many miles in any direction was the Indian settlement at Smithville, north of Mountain Fork River.

The Snake organization among the Choctaws was similar to that of the Creeks, and it had not been idle. The Snakes elected their own chief and directed their council to look into the feasibility of selling their land and moving lock, stock, and barrel to Mexico. Neither Bob nor Harris had been leaders in this movement, but they had accepted allotment with the greatest misgiving and had vigorously expressed their preference for the old system of landholding. After their chosen leader was defeated in tribal election, Harris, who was part Chickasaw, had bowed to the inevitable and gone to Lukfata where he acquired a half interest in a profitable sawmill. Daniel Bob had withdrawn to his mountain retreat to watch with increasing uneasiness the white infiltration.

It was during the last of several great inter-Nation

councils that Daniel Bob and Chitto Harjo had become friends. During the years following the creation of the Dawes Commission, councils were held at Checotah, Eu-
faula, and Fort Gibson. Delegates from the Five Civilized Tribes exchanged information with and advised the chiefs of several southwestern tribes, including the Kiowas, Apaches, Comanches, Cheyennes, Wichitas, Caddoes, and Osages. One year, Bob accompanied the Choctaw Conservative Party spokesman, who helped write a defense of the full-blood position, and together they worked hard to organize the conservative Indians. Opposition to the Dawes Commission was a basis for lasting trust and friendship among people who felt all around them the steady, overwhelming pressure of an aggressive and alien culture.

Chitto Harjo and Daniel Bob had enthusiastically endorsed creation of an Indian state in order to retain tribal land tenure and some semblance of Indian independence. This old dream had no hope of realization, however, and it evaporated as plans were advanced for statehood of the Indian and Oklahoma Territories. Nevertheless, there remained one interesting possibility. Just before Oklahoma became a state, combining the two territories, there was serious discussion of creating two new states. This was an exciting prospect for both Indians and whites in the Indian Territory, since it seemed a way to preserve certain established traditions and to avoid losing control of political offices and institutions.

Chitto Harjo and Daniel Bob supported the idea of two separate states, but when the time came to draft a constitution for the proposed new state of Sequoyah, people turned to Indian statesmen better known to white political leaders and familiar with the English language. Consequently, neither of them attended the convention at Muskogee in the fall of 1905, and each retired from active political life.

An Appeal for Justice

Life at the cabin on Bok Tuklo was lonely for one who had always lived around town and was accustomed to

frequent meetings with large numbers of friends and relatives. The Creek Chief obtained medical attention from an Indian doctor in Smithville, and for a time he seemed to improve. He met several of Daniel Bob's friends and, while conversation was difficult, managed to exchange views with the admiring Choctaws who had long known of his courageous defiance of the white arrogance.

The Chief knew when Colonel Hoffman's troops finally quit and went home. Word reached Daniel Bob about the time Agent Dana Kelsey wrote to the Commissioner of Indian Affairs: "As far as the public is concerned, the matter is practically forgotten." The state militiamen resumed their civilian lives, and most farmers, Indian and white, had already returned to their fields. But not everyone had forgotten.

On April 29, Edmond Colbert of Grayson had sent a penciled claim to the Commissioner in Washington:

i wer shot be the henretter morbs. and i wont my dameyes of 3 housen dollers and for all of my proptly tha dstrend after we war plas in gale. i wont 3 thausen dollers on my shot and boke arme from the henrttr Whit kapes mobs they did not com lack men of juistis.

Colbert received a prompt reply suggesting he seek restitution through the courts of Oklahoma.

Early in May, Kelsey sent a letter to Washington transmitting the individual reports prepared by Fred Cook and two other district agents. Those reports would have lifted a weight from the old Chief's heart because he was clearly exonerated of all blame in the shooting of City Marshal Baum and Deputy Sheriff Markey. He would have been dismayed, however, by a letter written by Roy Hoffman, also relayed with Kelsey's report, recommending that Chitto Harjo, "whether caught soon or late and by whomsoever," should be "detained in custody to prevent any recurrence of the trouble."

On May 4, the Attorney General of the United States instructed the United States Attorney in Muskogee to take whatever action was necessary to see that the indicted Snake Indians were given a fair trial in the courts of

Oklahoma. A few days later, the Commissioner of Indian Affairs in Washington wrote to the Five Tribes Commissioner in Muskogee, asking that he "render all the assistance possible in protecting the interests of the Indians under arrest."

Actually, only a witness or two were still being held. The Grand Jury of McIntosh County had charged seven Snakes with murder, but all seven were still at large. They were Wilson Jones (Chitto Harjo), Tom Ochee, Sam Herrod, Louis Yardica, Charlie Coker, Sampson Brown, and Ben Tobler. The first four were Creek Indians. Tobler, whose brother had been questioned and released, was a Snake Negro. Sampson Brown had already departed this life, although most of the white community did not know it. Chitto heard of Coker's whereabouts in the Choctaw Nation, where the Seminole fugitive remained for a short time before visiting his own people and returning to the Creek country. The old Chief had been told of Brown's death, but he was not in touch with any of the other five charged by the grand jury.

Early in June, the Creek Nation retained the Washington law firm of McGowan, Serven and Mohun "to secure through the Department of Interior its cooperation and assistance to the end that Chief Crazy Snake and his followers may peacefully return and be protected, especially from the whites."

On September 10, Five Tribes Commissioner George Wright wrote to Messrs. L. F. Parker and O. L. Rider, law partners in Vinita, Oklahoma as follows:

Not only have these Indians the entire sympathy of the officials of the Department, but we have yet to meet anyone who has been conversant with the facts who failed to assert his unqualified belief that Harjo and his followers were neither directly nor indirectly responsible for the inception of the trouble.

Such a statement would have been reassuring, but it would also have been a perplexing, confusing judgment for one who had been successively shot by lawmen, hunted by state troops and deputy sheriffs, and indicted for murder according to the white man's system of equal justice.

McGowan, Serven and Mohun decided their best course would be to bring to trial one of the seven Snakes and obtain a quick acquittal. The decision would advertise the complete innocence of the other six, who then would freely give themselves up and be tried with similar results. Tom Ochee, now known to have been present during the shooting at Chitto Harjo's home, was selected. Mr. Ochee could not be found, however, nor could any of the others.

Many years later, the Chairman of the Committee on Indian Affairs, United States House of Representatives, received H.R. 12801, "A Bill for the relief of Indians known as the Snake Band of the Creek Nation in Oklahoma." He asked for a report from the Secretary of the Interior, and was informed that departmental records indicated that innocent Indians may indeed have suffered at the hands of white persons during the Snake troubles of 1909.

It is not believed, however, that any claim to compensation for losses and damages that may have been sustained by the Snake Indians by reason of the acts of state and county officials, or of irresponsible and unknown white people, constitute a proper charge against the United States or that the federal government should be made liable or responsible therefore.

Moreover, the Bureau of the Budget considered the proposed legislation to be in conflict with the financial program of the President. The Smoked Meat Rebellion had been forgotten.

Pokeweeds an' Grass

Sometimes, on days when the sun shone warm and many new friends relaxed with him on Daniel Bob's front porch, the pain in Chitto Harjo's leg would almost go away. He was glad that two or three of his visitors spoke enough English and Creek to make themselves understood, although he could speak to them only in his native tongue. He enjoyed engaging in conversation, however halting, for hours at a time, and was interested in hearing these people of his own generation relate the circumstances of

their economic and social life, and their response to the problems thrust upon them by the white man.

Then came summer, and the sun grew uncomfortably hot. The bright, flashing gaiety of April and May was smothered by the lush greenery of June and July. Light breezes that had tossed the white dogwood were swept into searing updrafts and whisked away. Pools filled by early freshets became stagnant and tepid, then shallow and muddy, and by the time the corn was ripe, all that remained were patchwork depressions of ragged cracks baked into the parched soil. On either side of the dusty roads, a fine powder coated trees and tall grass with the rust of summer, and everywhere the heat became oppressive. The springtime busyness of wildlife had spent itself, and mankind joined the fox and the tortoise in slowing life's pace as much as possible.

The voice of nature changed too. The clear call of the wood thrush heralded each day, and the raucous jays of spring seemed to have shouted themselves almost speechless. The towhee's noisy rummaging and the tiresome din of the cicada were inconsiderate and thoughtless in the stillness. Wrapped in the dark green shades of summer, the woods were hushed, intimate, and insulated, protecting young ones huddled in countless nests and secluded dens. Butterflies and humming birds discreetly sprinkled color into the daylight hours, and at night velvet-winged moths hovered near lamp flames, while their kindred spirits, the bats, soundlessly flitted in the darkness.

Chitto Harjo felt stronger by summer's end. The mountains, aroused from their lethargy by the invigorating cooler air, shook off the monotonous mantle of musty green and donned dashing reds and yellows. He loved the fall colors, lavishly splashed on every hill and flooding every valley, but the time of nature's peak abundance also warned of the imminent return of winter, and soon after the first frost, the old Indian's health began to fail.

He longed for his own hearth, the familiar scenes of

home, the people who had shared his life with him and made it tolerable in the face of privation and oppression. Often he thought of his wife and family. Catsey Hola and he had lived together since they had talked it over and agreed to it during the time when he marched with the Union Indian regiment. According to Creek tradition, a young man's maternal relatives selected his spouse, but for one reason or another, Chitto Harjo had remained alone until he chose Catsey. When he returned after the war, she was waiting, and at the next ceremony of the New Fire, they announced their decision to remain together. They could have dissolved the marriage after a trial period, but neither had ever wished to.

The cold months of winter dragged out long and dreary on Bok Tuklo Mountain. Chitto Harjo never complained, but by the spring of 1910, the old warrior's body was considerably wasted. The ensuing year bore down hard on this man who had lived twice, once in an Indian society that knew few white men, and once in a world both dominated and claimed by them. Life was fast losing its flavor, and even its special moments, always precious and mysterious to him, no longer seemed like exciting bursts of song.

The special moments were those when he felt intimately near to the world of his grandfather and his own early years. Softly falling rain, a full moon, a flight of ducks, light snow along a creek, the delicate fragrance of spring beauties and Johnny-jump-ups, such things had always been irresistible invitations to rejoice in the indescribable glory of all creation, and he would make a funny little gurgle in his throat. It was a secret, since no one would understand, although he suspected that Catsey knew.

But now the old man's kinship with the natural world no longer thrilled his entire being and caused his heart to beat fast. He even ceased to welcome conversation, something that had been a delight ever since he first discovered that individuals were more than just neighbors, that in fact it was through them that he came to know himself.

During the winter of 1910-11, the wound, which had never fully healed, became infected. Months later, the poison had spread unchecked, and the doctor from Smithville could not stop the throbbing, reduce the swelling, or cause the fever to subside. And finally, in the spring, when all forms of life were intoxicated with the effervescent joy of living, Chitto Harjo died.

* * *

On the Death of Yadeka Harjo

Well so, Hotgun he say,
My ol'-time frien', Yadeka Harjo, he
Was died the other day,
An' they was no ol'-timer left but me.

Hotulk Emarthla he
Was so to be good Injin long time 'go,
An' Woxie Harjoche
Been dead ten years or twenty, maybe so.
All had to die at las';
I live long time, but now my day was few;
'Fore long poke-weeds an' grass
Be growin' all aroun' my grave-house too.

Wolf Warrior he listen close,
An' Kono Harjo pay close 'tention too;
Tookpafka Micco he almo'
Let his pipe go out a time or two.

—Alexander Posey

EPILOGUE

Strange as it seems, news of the Snake leader's death did not reach the Creek country for over a year. In the summer of 1912, Chitto's sister, Polly Jones Davis, learned of his passing from her niece, Salmi Jacobs. Mrs. Jacobs had attended the funeral near Daniel Bob's home, where some thirty Choctaw mourners paid their respects to the man whom they had befriended and comforted during his last days.

State authorities did not know of Chitto Harjo's death until 1913, when Fred Barde, who had been with Hoffman's troops as a reporter for the Guthrie *Daily Leader*, noted that the Chief seemed to have dropped out of sight. He decided to investigate, and ultimately he located Daniel Bob. His news story included this terse account by the generous Choctaw:

There was a man by the name of Chitto Harjo were came over here at my place. He were stay here while, and he got down in April 5, 1911, and the last few days of his life were spent in bed. One morning in April 11, 1911, at 10 o'clock, his life passed from away. In this April 5, he get down that with indeed distress, as the gunshot wound in his hip, and had died. Than we laid him good in my house yard. That where he lie in grave. This is all about Chitto Harjo death at my place.

By mid-April of 1909, Colonel Hoffman had sent almost all his troops home. A few remained out under the famous old frontiersman, Bill Tilghman, but soon he agreed with the disillusioned colonel that finding the fugitive chief was hopeless. The press quoted Hoffman as finally concluding:

Ten thousand men could not find Crazy Snake in the region in which he is hiding. He is in a wild, sparsely settled region 30 miles wide and 100 miles long, extending to the Red River.

The Smoked Meat Rebellion, which had cost the state of Oklahoma \$6,330.17, was over. In his Annual Report for 1909, the Commissioner of Indian Affairs gave passing reference to what had happened:

During the year the relations of this office and the district agents with the state and county officials [in Oklahoma] have been most harmonious . . .

Outside of the so-called "Crazy Snake trouble" and the arrest of an occasional recalcitrant Indian for refusing to work the roads or pay his road or personal tax there has been no trouble between the Indians and the state and county officials.

Maybe so. But for the Indians, especially the full-bloods, who knew what had been lost, the persecution of Crazy Snake had profound significance. The grand old leader's defiant but defeated followers, even those who had known the futility of resistance, took a last deep breath and settled back to rest, to wait, and to watch with tired eyes their setting sun. The Creek Indians would live on and increase, but the old way was gone forever.

DEPARTMENT OF THE INTERIOR
United States Indian Service,
UNION AGENCY

Muskogee, Ind. T., Sept. 18, 1906

Dana H. Kelsey,
U. S. Ind. Agent,
Muskogee.

Dear Sir I enclosed you the list of Snake Indians
and Post Office address.

I hope this list will be alright.

Yours Respectfully,
(Signed) Lewis McGilbra

Indian Police

THE NAMES OF SNAKE BAND

Rabbit Johnson	Eufaula, I. T.
Sanger Beaver	" "
Edward Scott†	" "
Adam Manly	" "
Isaac Manly	Mellette, I. T.
James Charley	Eufaula, I. T.
Ben Thompson	Eufaula, I. T.
Harley Thomas	Eufaula, I. T.
Micco Hill	Eufaula, I. T.
Micher Harjo	Eufaula, I. T.
John Hill	" "
William Giver	Mellette, I. T.
Robert Giver	" "
Louis Proctor	Hanna, I. T.
Killie Proctor	" "
Earnest Gouge	Hanna, I. T.
Thomas Red	" "
Arlinger	" "
Mitcher Higlar	Trenton, I. T.
Robert Fish	Brush Hill, I. T.
Isman Richard	Brush Hill, I. T.
Arbram McIntosh	" " "

Creek "Snake" Roll, September 18, 1906

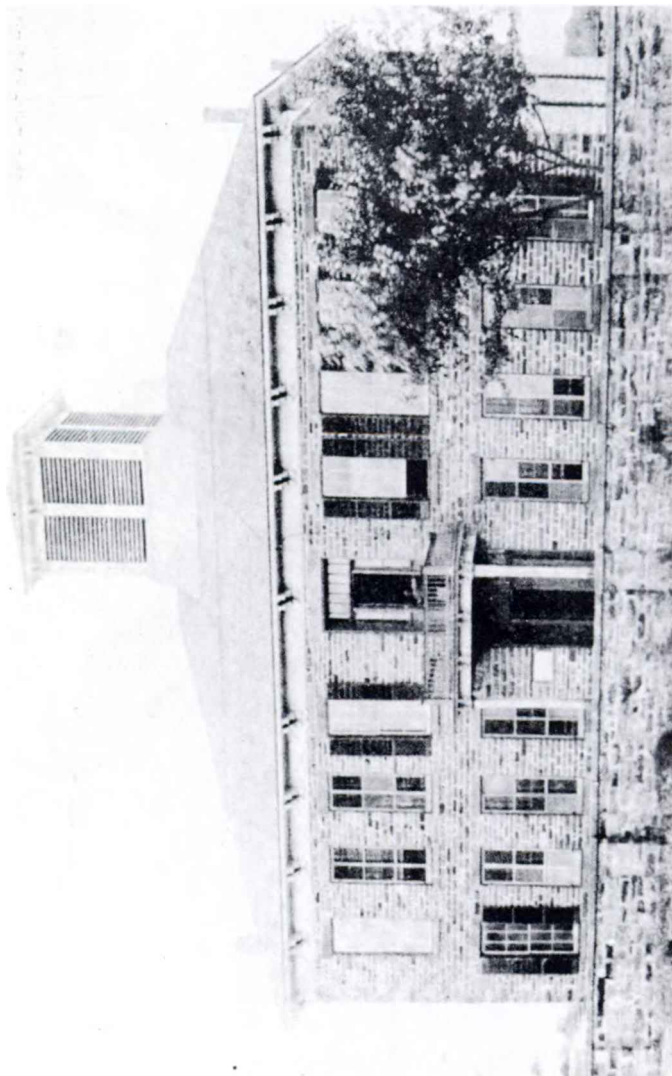
Courtesy of the Frank Phillips Historical Collection, University
of Oklahoma

Riley Wolfe	Checotah, I. T.
John Timothy	Brush Hill, I. T.
Abe Grayson	" " "
John Starvey	" " "
Hillis Harjo	Senora, I. T.
Sam Emarthla	Senora, I. T.
Lewis Yarteker	" "
Dick Colbert	" "
George Scott	Senora, I. T.
Dave Samson	" "
Simon Killer	" "
Censer Green	" "
Sam Herrod	" "
Artus Elehomatney	Henryetta, I. T.
Washington Riley	Senora, I. T.
Lewis Riley	Mellette, I. T.
Cheesie Riley	" "
Ethlo Harjo	Senora, I. T.
Daniel Colbert	" "
John Baker	Weleeka, I. T.
Tuffer	Trenton, I. T.
James Smith	Carson, I. T.
James Gray	Hanna, I. T.
George Simmons	Trenton, I. T.
Big William	Hanna, I. T.
Sam Laslie	Hanna, I. T.
Echo Fixico	Dustin, I. T.
Sandy Five	Dustin, I. T.
Amos Fisher	Sapulpa, I. T.
Micksie Five	Weleeka, I. T.
Jacob Larney	Melette, I. T.
Jackson Tiger	Burney, I. T.
Martin Smith	Huffman, I. T.
Roberson Starr	Hanna, I. T.
Cotcher Chupko	
or Long Tiger	Trenton, I. T.
George Hicks	Morse, I. T.
Osar Harjo	" "
Ossage Yahola	Arkfuskey, I. T.
Thomas Hicks	" "
Mitchel Roberts	" "
Cholika Roberts	Arkfuskey, I. T.
Pin Harjochee	Okemah, I. T.
Alberta Harjochee	" "
Perhos Yahola	" "
Lumber Billy	Eufaula, I. T.
Simmon Billy	" "
Macsey Coser	" "



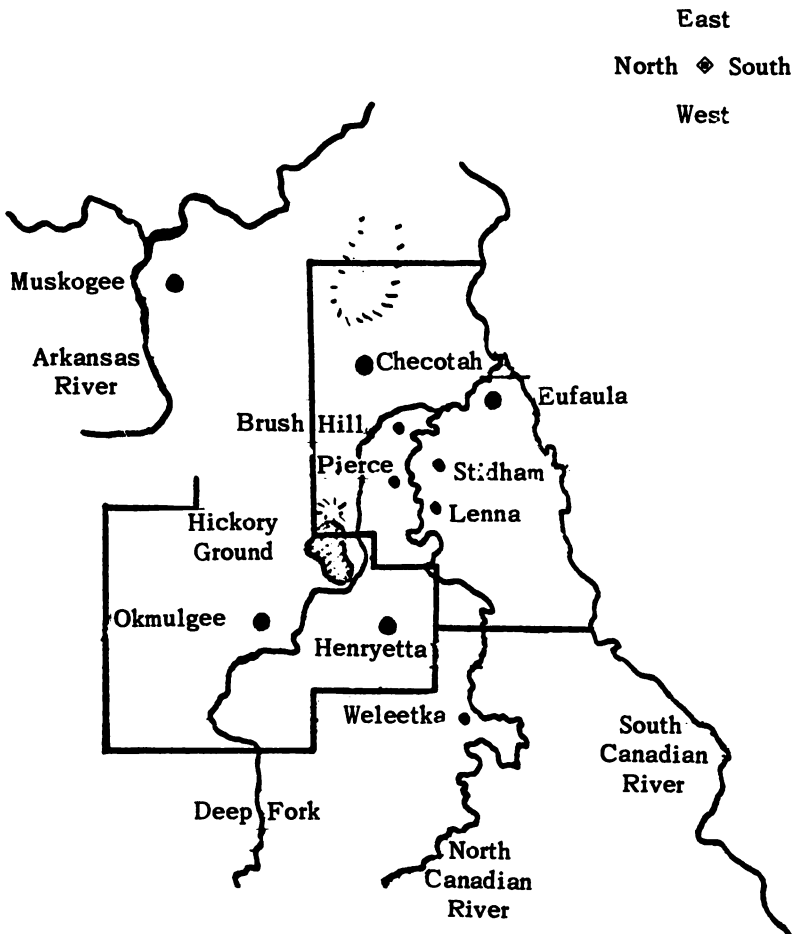
Chitto Harjo, 1904

Courtesy of Muriel H. Wright and the Oklahoma State Historical Society



Creek Council House, built in 1878
Courtesy of Oklahoma State Historical Society

THE CREEK COUNTRY, 1909



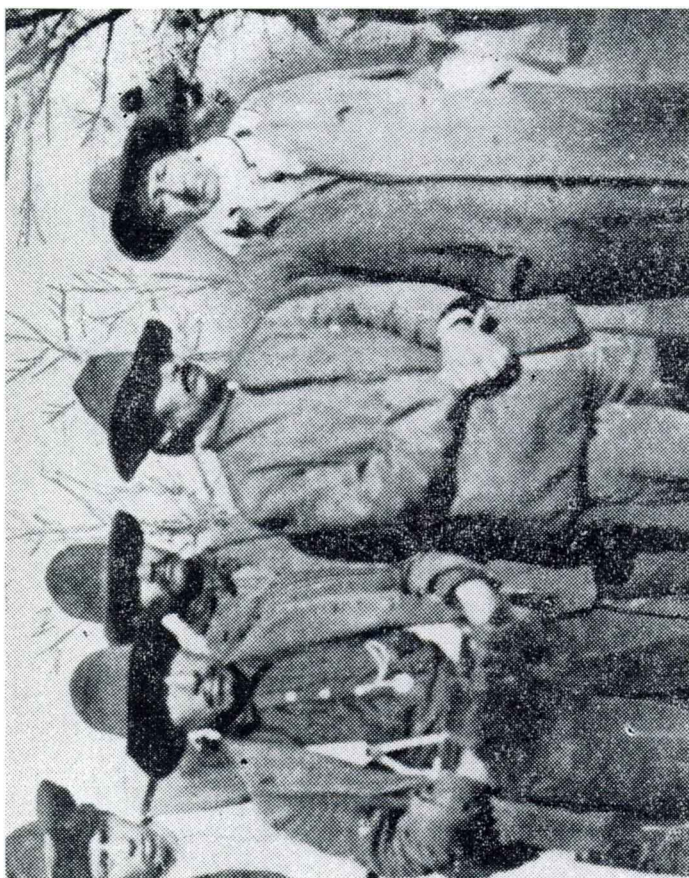
Muskogee is in Muskogee County

Okmulgee is in Okmulgee County

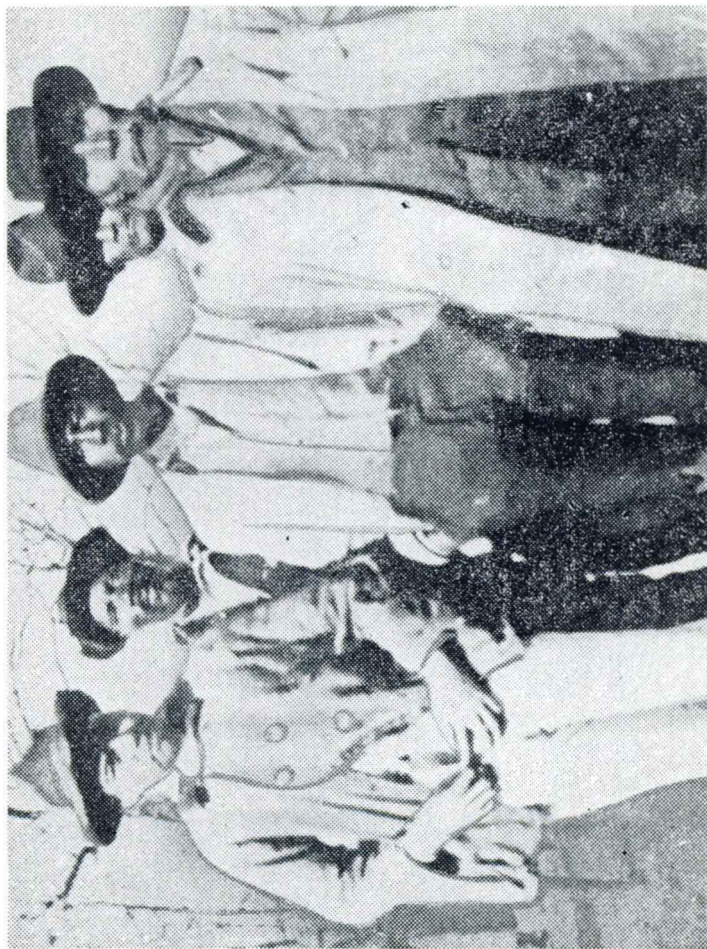
Checotah is in McIntosh County

Tiger Mountain is about 12 miles east of Henryetta.

Scale:  = 10 miles.



Group of Creek "Snake" Indians, c. 1909



Group of Creek "Snake" Indians, c. 1909



Frank Jones, 1902
from W. F. Jones, *Experiences of a Deputy U.S. Marshal of the*
***Indian Territory* (1937)**



Downtown Muskogee, c. 1901
Courtesy of Harris Andrews, Arlington, Virginia



Deputy U.S. Marshals, Muskogee, Indian Territory, c. 1900
Courtesy of Harris Andrews, Arlington, Virginia



**Chitto Harjo (Crazy Snake),
c. 1900
Courtesy of Harris Andrews,
Arlington, Virginia**



**Creek Boy, c. 1901
Courtesy of Harris Andrews,
Arlington, Virginia**



Chitto Harjo (Crazy Snake), 1903

Courtesy of W. E. McIntosh, Tulsa, Oklahoma



Bill Carr, U.S. Marshal, c. 1900

Courtesy of Bill Carr



Mr. and Mrs. Lee Bateman, c. 1900
Courtesy of Lee Bateman



Typical Indian Territory Town, c. 1901
 Courtesy of Harris Andrews, Arlington, Virginia



A Farm Scene in Indian Territory, c. 1901
 Courtesy of Harris Andrews, Arlington, Virginia



Colonel Roy V. Hoffman, 1909
Courtesy of *The Daily Oklahoman*,
Oklahoma City



Adjutant General Frank Canton, 1909
Courtesy of *The Daily Oklahoman*,
Oklahoma City



Scales at the Gin, Muskogee, Indian Territory, c. 1900
Courtesy of Harris Andrews, Arlington, Virginia

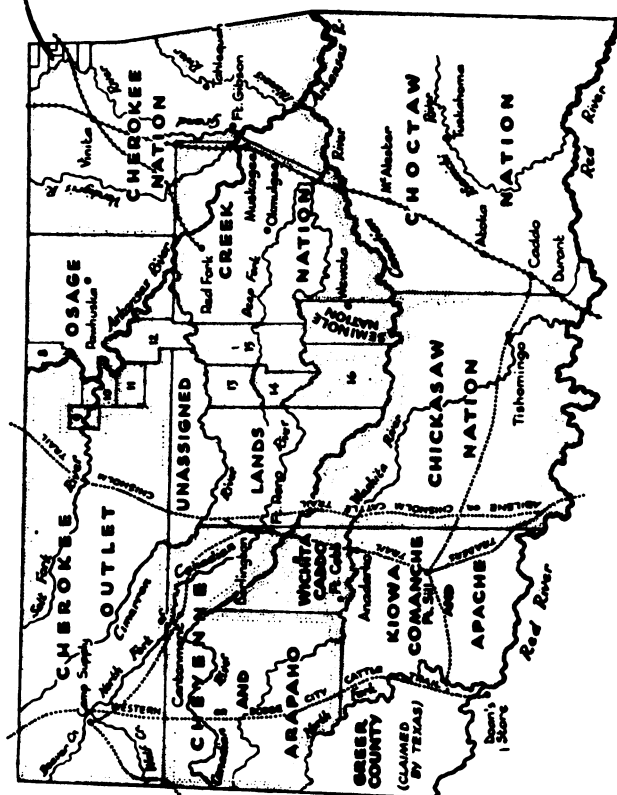
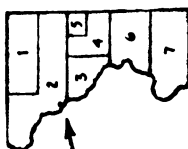


Coal Wagon, Cherokee Nation, c. 1901
Courtesy of Harris Andrews, Arlington, Virginia



Ferry Boat on the Arkansas River, Indian Territory, c. 1900

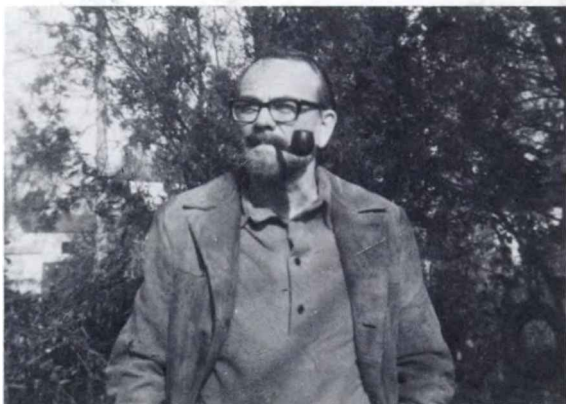
Courtesy of Harris Andrews, Arlington, Virginia



INDIAN TERRITORY, 1865

1. Quapaw
2. Peoria
3. Ottawa
4. Shawnee
5. Modoc
6. Wyandotte
7. Seneca
8. Pawnee
9. Tonkawa
10. Ponca
11. Oto-Missouria
12. Pawnee
13. Iowa
14. Kickapoo
15. Sac and Fox
16. Potawatomie-Shawnee

— Railways
- - - Trails



ABOUT THE AUTHOR

Ever since he was a boy in the Scandinavian community of Cambridge, Minnesota, Mel Bolster has been excited by the lore and history of American Indians. He read about the Sioux and the Chippewa, and his paternal grandmother told of a Sioux village within sight of the family sod house in Plentywood, Montana. Today he remembers how as a youngster he tried to conduct himself in the wilds along the Rum River as an Indian would, unobtrusively, with deep respect for all forms of life, and with love of the mysteries and adventures found in the natural world.

Dr. Bolster received an M.A. in history from the University of Arkansas, after earning a B.B.A. at the University of Minnesota. A Ph.D. in public administration was conferred by The American University in Washington, D. C.

The author has taught graduate seminars in Washington where, since 1952, he has been a management specialist in various federal agencies. He and his family reside in Falls Church, Virginia.